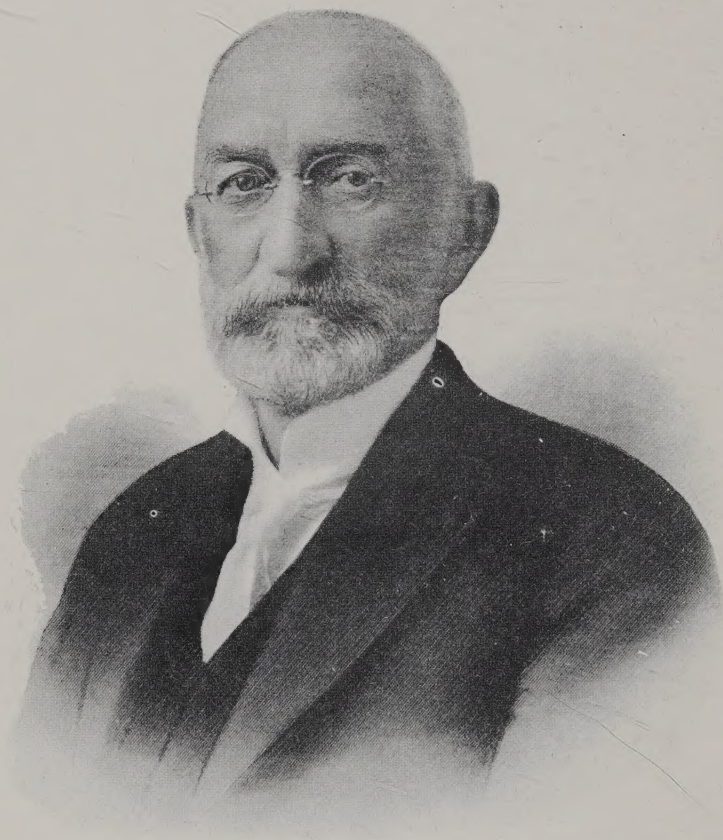




HEBER J. GRANT
Seventh President of the Church of Jesus Christ
of Latter-day Saints
1918-1930-

A
Comprehensive History
OF
The Church of Jesus Christ
OF
Latter-day Saints

CENTURY I

In Six Volumes

By B. H. ROBERTS

*Author of—*Outlines of Ecclesiastical History; Doctrine of Deity (a discussion); New Witnesses for God (3 vols.); Defense of the Faith and the Saints (2 vols.); Joseph Smith the Prophet Teacher; The Falling Away (16 Radio Addresses, 1929); etc., etc.

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Consolidation

Volume VI

This volume covers the period from 1880 to 1930—fifty years. It treats the administration of four of the presidents of the church, and the administration of President Heber J. Grant—the fifth of the period—up to the sixth of April, 1930. In it is considered the great but unequal struggle of the main body of the Church of the Latter-day Saints, the saints in Utah, for the maintenance of the measure of local self-government under the organic act creating the territory; and seeking also to maintain religious freedom, the belief in and the practice of their religion; and meantime making a number of successive but futile efforts to secure statehood for Utah, which would have solved most of their community problems. It was a brave resistance to wrong they made. It was a resolute and courageous fight they persisted in for statehood. There was special and iniquitous and unconstitutional legislation enacted against the saints of Utah and in other territories in this period, under the whip and spur of excited and misinformed and deeply prejudiced public opinion. Proof for the statement here made is to be found in the fact that the supreme court of the United States declared much of this legislation and the procedure of the territorial federal courts under it, unconstitutional. There were tyrannies practiced under the guise of the administration of law, judicial crusades creating community terror; there were court-made laws by arrogant judges with self-appointed missions; the governors wielded absolute veto power over the enactments of the legislatures elected by the people, as shameful in effect as ever disgraced the British administration in the English colonies of America before the Revolution. There was a constant itching for, and sometimes the unwarranted use of, military power instead of civil authority; and the menace through many years of the abolishment of even the territorial government for a commission form of government. Excessive bail was demanded for merely alleged misdemeanors under the law; legal wives, contrary to law, were forced to testify against their husbands. There were illegal imprisonments; enforced exiles, even martyrdoms growing out of this reign of injustice and oppression in the later years of territorial existence. This period of Volume VI had its martyrs as well as previous periods of our century of history. It seems strange, does it not, to draw up an indictment such as this against judicial and administrative procedure in the Republic of the United States of America? And yet the facts of the foregoing statement, but

feebly and inadequately given here, are abundantly proven in the text and citations of authorities of this volume.

Notwithstanding this disturbed period of plot and counterplot, however, and the conflict waged, I venture to name this volume *Consolidation*. And such was what the troubled period which it deals led to finally—*Consolidation*. Out of the fiery conflict waged came such settlement of questions as made clear the lines upon which procedure for the church was practical, by which is meant possible, under conditions as they existed. And hence adjustments were made, demands upon the church conceded to, so that statehood was won, deliverance from oppression obtained; the relations of church and state were slowly but surely defined and established; the cause of friction was removed; the mission and sphere of the church clarified; and everything was shaken down to a practical working basis—*Consolidation*; so that now there is on every side freedom of action for the church in the promulgation of her high mission of conquering the world for truth and for righteousness; and this without let or hindrance. She may now teach her truth, and perfect the lives of those who receive it, and thus prepare a kingdom of righteousness—both a place and a people—for the coming Lord in glory, which is the mission of the church, and the whole of it, and the glory of it.

* * * * *

ACKNOWLEDGMENTS

With the close of this volume comes the place and pleasure of acknowledgment of assistance received in the publication of this work.

The writer feels infinitely grateful to the presidency of the church, both in President Joseph F. Smith's administration, and in President Heber J. Grant's. Without their authorization and support, including the complete assumption of financial responsibility for the publication, nothing could have been done in bringing forth the work; it was beyond hope that individual effort would produce it. The church, therefore, is indebted to the wisdom and interest of the first presidency for this *History*.

Acknowledgment of the assistance rendered by the committee appointed by President Joseph F. Smith to hear read the manuscript when the greater part of it was prepared for publication in the *Americana*, has already been made in the Preface to the whole work, published in Volume I.

Acknowledgment is made to the Book Publishing Department of the Deseret News Publishing Company for valuable cooperation with the author. Their skill and patience as a force of compositors, printers,

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* * * * *

And now, to the Highest! "O Thou, Eternal One! Whose presence bright all space doth occupy!" Thee I proclaim. If there is any way of excellence in all this work, I am sure it is of thy grace; and for all thy helpfulness, O Lord of Truth, whom I worship, I make acknowledgment and give thee gratitude.

A
Comprehensive History
OF THE
Church of Jesus Christ
of Latter-day Saints

Century One

CHAPTER CLIII

THE CANNON-CAMPBELL CONTEST FOR THE UTAH DELEGATESHIP

FEELING doubtless that in Governor Murray they had one who would go to any limits in political opposition to the people of Utah and the party through which they fought for the right of the majority of the people to control the local government—the People's party—the Liberal party, which for some years had languished in desuetude, suddenly revived in 1880, and determined once more to place a candidate in the field for the office of delegate to congress. The nominating convention was held in the Liberal Institute Building, Salt Lake City, on the 22nd of September. The gathering was large and enthusiastic, also bitter in its denunciations of the Latter-day Saints, their church, and their political organization. Governor Murray was in attendance and delivered what at the time was called a "ringing speech," also a "declaration of war" was made between "the American Republic and Mormon Polygamic

Theocracy.”¹ This was the keynote of the convention and of the campaign which followed it.

ALLEN G. CAMPBELL NOMINEE FOR CONGRESS

The convention nominated as its candidate for delegate to congress Mr. Allen G. Campbell, a large mine owner in Beaver county, and quite generally identified with the business interests of the territory.² His anti-“Mormonism” was sufficiently intense to make him quite dependable in carrying out any scheme the Liberal party might consider necessary in pursuance of its policy to destroy in Utah what its leaders called “polygamic theocracy”; and his wealth sufficient to meet the necessary expenses of the contest for the seat at Washington, which, before Mr. Campbell’s nomination, was determined upon—for there was no hope that he could be successful in obtaining a majority of the votes in the election. Mr. Campbell was absent in New York at the time of his nomination, and when informed of it at Chicago *en route* for the west, he was disposed to treat the matter as a joke; but was persuaded by his mining partner, Mr. Cullen—who met him in Chicago, and gave him the information of his nomination—to take the matter seriously and wire from Chicago his acceptance of the nomination.³

1. Tullidge’s *History of Salt Lake City*, p. 824.

2. Mr. Campbell was a Missourian, born in Pulaski county, 1834. The “Pike’s Peak” excitement of 1859 carried him to the west, and he was among the founders of Colorado, when at the first the people in Denver and the mining camps of that region sought the organization of civil government under the name of “Jefferson Territory.” In 1870, Mr. Campbell was attracted to Utah by the mining development of the territory, and became the purchaser of the noted Horn Silver Mine, in Beaver county; after which he became thoroughly identified with the mining interests of Utah. The development of the Horn Silver Mine led to the extension of the Utah Southern Railroad for a hundred and fifty miles south of Salt Lake City for which Mr. Campbell and his partners in the Horn Silver, paid one-fourth of the construction cost, hence his connection with the railroad interests of the territory. Under all the circumstances he was, perhaps, as strong a candidate as the Liberal party could choose at the time.

3. When told that he was nominated as delegate to congress Mr. Campbell “treated it as a pleasant hoax of his partner in the mine”—Mr. Cullen. Persuaded that it was a fact he said—“that is all there will be to it, then;” but finally he took the course described in the text above. (See *Tullidge’s Quarterly Magazine*, Oct., 1883, p. 49 *et seq.*).

GOVERNOR MURRAY'S ANTI-"MORMON" REPORT

During the progress of the campaign Governor Murray sent a report of conditions in Utah to the secretary of the interior, the chief purpose of which was to influence public opinion against the Church of the Latter-day Saints, and to add to the pressure brought upon congress by public opinion to pass some one or other of the stringent, anti-"Mormon" measures then pending before that body. The governor's principal plea was that the anti-polygamy laws should be enforced or repealed. In the latter event "the officers of the United States should be recalled, non-Mormons be removed and the country be given over to the Latter-day Saints." Presenting the matter in this alternative form was intended, of course, merely to emphasize the need for the enactment of some measure that would make it easier to prosecute polygamy cases and doubtless also to aid in placing the control of the territory completely in the hands of the political "ringities," headed by the federal officers in Utah; for the recommendations of the anti-"Mormon" crusaders of this period almost invariably included within them such congressional legislation as would take from the people of Utah even the remnant of local self-government left to them by the territorial system under which they lived. Recommendations which, before the close of the year, as already seen, were voiced in the message of the president of the United States to congress.

The *New York Times*, reviewing this Murray report on the 11th of October, 1880, said: "Governor Murray only follows in the footsteps of his predecessors when he makes a forcible and formal plea against the enactment of laws against polygamy without enforcing them. * * * The Governor of Utah reiterates the old complaint—he does not suggest any new remedy." The *Deseret News*' editorial comment on this point was pertinent:

"Governor Murray * * * indulges in some nonsense about the

removal of federal officials and non-'Mormons' from Utah, as a necessary sequence of the repeal of the anti-polygamy laws; but every one knows that there were federal officials and non-'Mormons' in Utah before there was any anti-polygamy law, and therefore its repeal would not necessitate their removal nor affect the nature or emoluments of the offices here under the control of the government; they would remain as if no such law had been enacted. We think the repeal of the act of 1862 would be a very wise measure. The passage of that law was a step outside of the constitutional powers of congress, and has been the cause of trouble, vexation and perplexity to the government ever since it was enacted. But if it is to remain on the statute book, no reasonable citizen or official will claim that it should be enforced in any other manner than the usual method of executing the laws of the country. First prove an offense against it, and let the punishment imposed follow conviction. But do not raise a hue and cry against the government for not proceeding in a lawless manner to enforce one of its laws, simply to please a few rampant bigots who want to put down a religious system to which they are opposed."

One other comment on the report is also worthy of recording here, since it deals with a point urged by the press throughout the country as well as in Governor Murray's report. Referring to "Mormon polygamy" the Governor said that it was a "practice which is punished as criminal in every part of the republic, but flourishes unchecked in Utah."

"With all the frequent repetitions of this statement," says the *News*, "it is not true. Our marriage system does *not* exist in any other part of the United States, therefore *it cannot be punished there as criminal*. Common bigamy and 'Mormon' plural marriage, as has been repeatedly demonstrated have nothing in common. They are dissimilar and opposite. Bigamy is of the very essence of fraud, is a betrayal of the women who are deceived, and usually involves the desertion of the wife for a union with another, who is not a wife but is deceived into believing that she is. It is not regulated by anything except the passion or other base desire of the criminal who perpetrates the act. The law against it is designed to protect the wife and prevent the fraud. 'Mormon' plural marriage is a contract of a religious nature, entered into with the knowledge of all parties, neither of whom is deceived as to the facts; it involves no desertion and makes no deception. It is governed and controlled by ecclesiastical rules, and is entered into as a matter of conscience. The law against it was framed specially to prohibit and punish a religious ordinance, and was aimed directly and solely against the Church of Jesus Christ of Latter-day Saints, as is well known, and not denied by any one but sophists and quibblers."⁴

4. *Deseret News*, weekly, of Oct. 20th, 1880.

ATTEMPT TO DISFRANCHISE THE WOMEN OF UTAH

During the political campaign for the election of delegate to congress an attempt was made by the managers of the Liberal party to disfranchise the women of Utah, who, as detailed in a previous chapter, had been given the elective franchise by act of the governor and territorial legislature. The matter was brought before the supreme court of the territory on a writ of mandamus to compel the registrar of Salt Lake county, R. T. Burton, "to erase and strike off from the list of voters of Salt Lake county made by him, the names of the following persons, *viz*: Emmeline B. Wells, Maria M. Blythe, and Mrs. A. G. Paddock, * * * and of all women whose names appear on the aforesaid list." The case was heard on demurrer, the defendant alleging that (1) the court had no jurisdiction of the subject of the action; and (2) that neither the petition nor writ of complaint state facts sufficient to constitute cause of action. In argument it was held by counsel for the plaintiff (General Maxwell), respecting the second statement of the demurrer, that the act conferring suffrage upon women, and the registration act, so far as it related to women, were void, and if persons' names were put upon the registration lists without authority of law, it was just as much the duty of the registrars to strike them off as it was to refrain from putting them on; and a writ of mandamus was the proper instrument to compel him to erase them.

The heart of the question was, had the women the right to register and to vote in Utah. The right was attacked on two grounds; the territorial law of 1859 only provided for males and *taxpayers* to be voters; the law of 1870 had extended the privilege of suffrage to women without requiring them to be taxpayers, hence discrimination; and it was also held in argument that the act did not require a woman to be a "citizen" within the ordinary meaning of that term, since it was sufficient for her to be a voter—so far as citizenship was concerned—if she was the wife, widow, or daughter of a

native-born or naturalized citizen—hence discrimination again; and hence the law making these discriminations must be void. The court held that the supreme court of the territory held jurisdiction in the case, but held also that “the validity of the law” which imposed the duty upon the registrar to enter the names of the persons named in the register “cannot be brought into question in a proceeding of this kind.” “We find,” said the court, “that there is a law on our statute books in reference to registration, compelling the respondent to do what we are asked to compel him to undo. We cannot, for the purpose of this proceeding inquire into its validity. Having satisfied ourselves that the duty required by the statute to be performed has been performed, nothing is left for us to do.”⁵

The court therefore refused to mandamus the registrar to remove the names of women from the registration lists, and the women voted.

PROMINENT WOMEN OF THE UNITED STATES SUSTAIN THE WOMEN OF UTAH ON SUFFRAGE

It should be noted that in this Utah issue prominent suffrage women in the United States stood by their sisters in Utah who already had what they were contending for in other parts of the Union. The following dispatch was received by Emmeline B. Wells, under date of Sept. 28th, 1880, from Washington.

“Stand by your guns. Allow no encroachment upon your liberties. No mandamus here.

[Signed] “BELVA A. LOCKWOOD.”

The *Woman's Journal* of Oct. 9, 1880, published at Boston, and edited by Lucy Stone, in its editorial on the case, said:

5. See decision of the court in full, *Deseret News*, weekly, of Oct. 6th, 1880. Presentation of the case before the court and argument of counsel will be found on the local page, and extended comment on the editorial page of the same issue.

"It is hardly possible that so bold an attempt to disfranchise citizens who have exercised the right to vote for ten years can be accomplished. It would certainly never have been attempted if these citizens had not been Mormons. But the right to suffrage is independent of any such accident or fact, and this [attempt to disfranchise the women of Utah] should be everywhere rebuked as it deserves to be."

THE ELECTION OF GEORGE Q. CANNON

The result of the election was that George Q. Cannon, the People's party nominee, received 18,568 votes, and the Liberal candidate but 1,357 votes. The smallness of this vote was rather humiliating both to Mr. Campbell and the Liberal party, since the party when it had contested the election for delegate to congress several years before, gave the candidate, Mr. Baskin, over 4,500 votes. The small vote in the present election was attributed to the fact that for several years the Liberal party had been practically dead.⁶ The smallness of the vote, however, did not prevent institution of a contest for the seat at Washington; that had been determined upon previous to the election. Mr. Campbell, it appears, had some objections at first to making a contest for the seat at Washington, owing to the very unsatisfactory results at the polls;⁷ but his objections were soon overcome by his party

6. See article on Allen G. Campbell, Tullidge's *Quarterly Magazine*, Oct., 1883, pp. 49-60. "It was not so much the luke-warmness of the Liberal party, much less an intent to betray him [Campbell] that had given him only 1,357 votes, as the fact that before his contest in its behalf the party was nearly defunct—dead beat, hopeless and aimless." (*Ibid*, p. 53). On the other side it was contended that the unpopularity of the Liberal candidate had much to do with the small number of votes cast for him. "We have a secret ballot in Utah territory," said George Q. Cannon, on the floor of the house during the contest for his seat in the 47th congress, "and there is no means of knowing the candidates for whom votes are cast. I was voted for, if I may believe what I am told, by many non-'Mormons.' My last contestant—that was in the 45th congress—received over 4,000 votes. There has been an increase of the non-'Mormon' element since that time, and as one prominent man from Utah said to me in this city recently, 'Mr. Cannon, when we wish to get the seat of the delegate from Utah, we will send some man here with more votes than 1,357 to get the seat.' This was said by a prominent non-'Mormon' of that territory, and if the entire (Liberal) vote had been cast in the territory at the last election, I have no doubt there would be nearly 5,000 in opposition at that time." (*House Miscellaneous Documents*, 47th Congress, 1st Session, No. 25).

7. "On his return home," writes his biographer, Mr. Tullidge, "and meeting the results of the election, Mr. Campbell at first declined to contest for the seat. * * * If he stood the contest he was certain to be twitted with his 1,357 votes against Mr. Cannon's 18,568, and he reasonably felt justified in at first refusing to contest the seat for a party that had given him less than a third of its own voting power." (Tullidge's *Quarterly Magazine*, Oct., 1883, p. 53).

leaders and managers and in due time, namely, December 12th, a protest against the issuance of the certificate to George Q. Cannon was filed with the governor of the territory. The protest recited a number of reasons why the certificate should not be given to the delegate so overwhelmingly victorious at the polls, chief of which was:—that the votes cast for George Q. Cannon were declared to be illegal—votes “legally blank,” said the protest; George Q. Cannon, the protest charged, was an unnaturalized alien, “being such” he was not eligible to the office, and therefore “all the votes given for him” were void. Not only was it charged that Mr. Cannon was not naturalized, but it was also held that he was not qualified to be naturalized, since his polygamous relations and his public defense and advocacy of polygamy would disqualify him for making the oath required by law, to the effect that he was “attached to the Constitution of the United States, and well disposed to the good order and happiness of the same.” It was assumed that the territorial law granting the elective franchise to women was void; there were more women claiming and exercising the right to vote than the entire vote cast at the late election; “females have voted in large numbers,” said the protest, “they are partisans of said Cannon, and it must be taken for granted that they voted for him at the last election.” As these votes were illegal, according to the protest, they had vitiated the election by making it possible that “the pretended majority reported for Mr. Cannon” consisted of such illegal votes.

All these questions Governor Murray was urged to pass upon in canvassing the returns of the election; arguments and citations of authorities for such procedure formed part of the protest, thus assuming in advance to defend the executive jurisdiction in the case.⁸ Over against this, however, was the

8. Judge John R. McBride was Mr. Campbell's legal adviser and drew up the protest with great adroitness. “I am not ignorant of what the public generally know in respect to the voting at this election and its supposed result,” he makes Mr. Campbell say in the protest. “On the surface the returns will not show, probably,

plain and simple fact which overthrew all the sophistry of the special pleading of Judge McBride, and later of Governor Murray *et al*, namely, that the duties of the governor and the secretary of the territory in canvassing the votes, declaring the result, and issuing the certificate, as prescribed by law, was a simple administrative act, not at all judicial in character. The law was—"Every territory shall have the right to send a delegate to the house of representatives of the United States. * * * *The persons receiving the greatest number of votes shall be declared by the governor duly elected, and a certificate shall be given accordingly.*"⁹ The territorial statute provided that when the certified returns from the respective counties had all been received at the territorial secretary's office, "the secretary in the presence of the governor, shall unseal and examine them, and furnish to *each person having the highest number of votes for any territorial office a certificate of election.*"¹⁰ Furthermore, each house of congress, by constitutional provision had reserved to it, as a right, to be the judge of the elections, returns, and qualifications of its own members.¹¹

AN ADMINISTRATIVE OFFICER EXERCISES JUDICIAL FUNCTIONS

A very careful and elaborate answer to the Campbell protest was made and filed with the governor in which all matters of ineligibility raised were answered and the above

that a majority of the votes actually cast were given for me. But if it be true, as I insist it is, that all the votes not polled in my favor are legally blank, then I owe it to those who place me in nomination, and by a still greater obligation to the whole community, in the interest of good government to protest, and I do protest, against the counting of any votes for George Q. Cannon. * * *

No remedy is adequate or effective in respect to offices for short terms which does not administer the corrective during the canvass, for before any other remedy can be sought and applied the motive to pursue it ceases by the expiration of the term; the wrong prospers and the authors are thereby encouraged to repeat it, and generally do." (*House Miscellaneous Documents*, 47th Congress, 1st Session, No. 25. Nearly all the documents of this case of contest will be found in the foregoing; also in Tullidge's *Quarterly Magazine* for Oct., 1883, pp. 49-60; and in his *History of Salt Lake City*, ch. lxxxix). All this sophistry, however, is swept aside by the statement of the text respecting the law governing the case.

9. *United States Revised Statutes*, sec. 1862.
10. *Compiled Laws of Utah*, 1876, p. 85.
11. *Constitution of the United States*, art. i, sec. 5.

principles and laws bearing upon the case were ably set forth.¹² Both parties to the contest appeared by counsel before the governor and presented oral arguments and cited authorities in support of their respective contentions.¹³ Governor Murray needed no persuasion to induce him to issue the certificate of election to Mr. Campbell instead of to Mr. Cannon. It was in harmony with his own inclinations to do so, and doubtless part of the conspiracy entered into before the election by Utah anti-"Mormon" "ringities" and certain anti-"Mormon" plotters at Washington, and other eastern localities, to so proceed, let the election returns be what they might.¹⁴ Governor Murray proceeded along the lines suggested by the Campbell protest. He sat in judgment upon Mr. Cannon's citizenship, declaring not only that he was not a citizen, but that he was on account of his relations to polygamy, "incapable of becoming a citizen," and decided that "Mr. Campbell, having received the greatest number of votes cast for any citizen, was therefore duly elected and must receive the certificate accordingly."¹⁵

12. *The Delegate from Utah*, pamphlet, Appendix, pp. iv-viii.

13. "On the 7th of January, 1881, the governor went through the form of hearing counsel, or persons appearing as counsel for the respective candidates, as if he were a court, and had power to receive evidence, weigh testimony, and render judgment. That he never had any power to do either is apparent from the slightest consideration of the nature and duties of his office, and of the statutes of the United States and of the territory—a mere ministerial executive officer, having no power to send for witnesses or papers, and who *did* not send for either, and *heard* no evidence, undertook to set aside the order of a court of general jurisdiction, naturalizing a citizen, and at the same time annul the election returns giving a majority of over 17,000. Never was a greater outrage attempted, and never was anything called a 'hearing,' a greater farce. That Governor Murray had determined what he would do long before the election, is proven by the prophecies of it by his friends, and the prompt fulfillment by himself." (*The Delegate from Utah*, pp. 2 and 3.). Former Delegate W. H. Hooper appeared for Mr. Cannon, John R. McBride for Mr. Campbell. (*Deseret News*, weekly, of Jan. 12, 1881).

14. The evidence of that conspiracy consists in the simultaneous activity of the anti-"Mormon" forces in the east, with the illegal procedure of the Utah anti-"Mormon" "ringites" in relation to the election of 1880, and the irregular and illegal action with reference to the issuance of the certificate of election to a man who clearly was not elected. The eastern anti-"Mormon" activity resulted in the introduction of the act known as the "Edmunds bill" simultaneously with the Cannon-Campbell contest, and which became law a few days before the action of the house in the contest case, in order that its clause disqualifying polygamists from holding office in any territory "or under the United States," might operate upon the delegate from Utah.

15. *Declaration of Result of Election*, Governor Murray; see also *House Miscellaneous Documents*, 47th Congress, 1st Session, No. 25. Also pamphlet, *The*

The press comments throughout the United States on the action of Governor Murray in giving the certificate of election to Campbell was very generally and severely condemned. A collection of these comments amounting to more than two score of columns will be found in the *Deseret News*, weekly, for 19th and 26th of January, 1881; and also in the four numbers of the same journal for February of the same year. About the only leading journal that did not emphatically condemn the action of the governor was the *Louisville Courier Journal*, published in Murray's home town. It was thought in some quarters that a mistaken sense of loyalty to a fellow townsman was the cause of the support of Murray in this paper. The *Chicago Inter-Ocean*, a stalwart Republican paper, published a Washington dispatch suggesting as an explanation of the support given by Mr. Watterson, editor of the *Courier Journal*—to Governor Murray and Mr. Campbell, that the brilliant editor had become interested through Governor Murray in the celebrated Moulton Mine of Montana, and that this interest influenced his editorial utterances on a really great public question.¹⁶ This, however, is not in keeping with the character of Mr. Watterson; and it is more likely that the great editor allowed his bitter anti-“Mormon” prejudices, created by the misrepresentations of Murray, Campbell, *et al*, to sway his judgment from that splendid poise in which it generally stood so well balanced.

On the 20th of January, 1881, Mr. Cannon served formal notice upon Mr. Campbell that he would contest his right to hold a seat in the house of representatives of the 47th congress, also his right “either to be sworn or enrolled, or to

Delegate from Utah, Appendix, pp. i-xvii. Also *Tullidge's Quarterly Magazine*, Oct., 1883. Governor Murray refused to consider the alleged voidness of the territorial law conferring suffrage upon women set forth in the protest. (See Murray's Declaration cited above in *Utah's Delegate*, p. xv). The question for him turned upon the matter of Cannon's citizenship. A discussion of Mr. Cannon's citizenship occurs in a later paragraph of this chapter.

16. See *Inter-Ocean* dispatch copied into *Deseret News*, weekly, for Feb. 23rd, 1881.

hold a certificate of election as such delegate."¹⁷ In addition to this step, on learning of the departure of Governor Murray from Utah for the east, early in January, a petition for a writ of mandate was made to the United States district court at Salt Lake City, commanding the secretary of the territory, Mr. Arthur L. Thomas—who in the absence of the governor from the territory was the acting governor—to declare the petitioner, Mr. Cannon, elected to the office of delegate to the house of representatives of the 47th congress, and to issue his certificate of election to that effect, in harmony with the returns of the late election. The case was argued at length before Judge Stephen P. Twiss by counsel for the opposing parties on demurrer proceedings entered by the acting governor. Judge Twiss decided that the demurrer must be sustained on the main issue. He held that granting a certificate of election by the governor was not "merely ministerial;" it was "at least an executive duty of a political character, which may at times require the best and soundest discretion; and that directing him by a peremptory writ of mandate to do an act within the scope of his official power, which he had on demand, in the exercise of his discretion refused to perform, would be assuming a grave responsibility unsupported by authority of law, which might result in irreparable mischief."¹⁸

THE CANNON-CAMPBELL CASE AT WASHINGTON

The next step was taken at Washington. Mr. Cannon's notice of contest declared his intention not only to contest

17. *House Miscellaneous Documents*, 47th Congress, 1st Session, No. 25. Also the *Delegate from Utah*, Appendix, p. xviii. Notice of this contest was served upon Mr. Campbell at Green River when the gentleman was *en route* from the east to Utah. The law required that notice of the contest be served within thirty days after the issuing of the certificate, and congressional rule required that it should be personal service. It is said Mr. Campbell "churlishly refused to sign an acknowledgment of service" at the time it was made, and also that it had been difficult to locate Mr. Campbell or his counsel, so that "considerable ingenuity had to be exercised in order to make service in the prescribed manner, and within the proper time." (*Deseret News*, weekly, Feb. 9th, 1881).

18. See opinion in full in *Deseret News*, weekly, of March 2, 1881, p. 65, with judgment and orders at p. 77. The proceeding with argument of counsel will be found in the two preceding numbers of the *News*, viz., Feb. 16th and 23rd, 1881.

Mr. Campbell's right to hold a seat in the house of representatives, as delegate from Utah, but also to contest his "*right either to be sworn or enrolled,*" or to hold a certificate of election as such delegate. Unwittingly Governor Murray had really given a certificate of election to Mr. Cannon in the second paragraph of his "Declaration of Results of the Election," which accompanied the certificate given to Mr. Campbell, where he states, and of course over his own signature, and under the seal of the state—"the returns show that George Q. Cannon received 18,568 votes and Allen G. Campbell, 1,357 votes."¹⁹ Thus there were in effect two certificates placed before the clerk of the house when the governor's certificate with accompanying declaration of results was filed with that officer; one declaring that Mr. Cannon was the *person* receiving the greatest number of votes at the election, and the Murray certificate declaring that Mr. Campbell "was the person, *being a citizen of the United States,* having the greatest number of votes," and therefore duly elected. Mr. Cannon in pursuance of his notice to Mr. Campbell that he would contest his right to enrollment and to be sworn in as a member, as well as his right to the seat, appeared before Mr. Adams, the chief clerk of congress whose duty it was to make up the roll of membership in the congress elect, placing "thereon the names of those *persons,* and of such persons only, whose credentials show that they were regularly elected in accordance with the laws of their states respectively, or the laws of the United States."²⁰ Mr. Cannon submitted a copy of this certificate which stated that he had received the greatest number of votes. It is said that Mr. Adams refused to hear arguments at that time "as the other party had not seen proper to appear,"²¹ and Mr. Cannon's name was enrolled as the

19. *The Delegate from Utah*, Appendix, p. i. This document of Murray's "is a declaration of the vote, a recital of the protest and answer with his opinions and conclusions on the questions involved." (*Ibid*, p. 3). "No stronger certificate of Cannon's election could be made," is the comment of Cannon's counsel. (*Ibid*, p. 3).

20. *The Delegate from Utah*, p. 5.

21. *The Delegate from Utah*, p. 5.

delegate from Utah. This completely turned the tables on the Utah "ring" conspirators, installed Mr. Cannon as the delegate instead of the "contestant," which granted him his *per diem* and mileage, and relieved him of much of the trouble and cost of a contestant for the rights to which he was plainly entitled; also the disadvantage of waiting around the committee rooms and lobby until the case could be brought to a hearing, which doubtless—had Campbell been enrolled—the conspirators would have postponed as long as possible.

PRESS COMMENT ON THE COURSE OF MR. ADAMS

Chief Clerk Adams was very generally censured by the Republican press of the country for ignoring the certificate given to Campbell by Governor Murray, and enrolling Cannon's name. It was characterized as "a great stretch of power." Still the voice of the press was by no means all one-sided: "The Republican press severely criticises Clerk Adams of the house of representatives," said the *Detroit Free Press*, "for putting the name of Delegate Cannon on the roll of the house instead of the name of Campbell." But it is worth noticing, that with all their bitterness none of them accuse Clerk Adams of doing any wrong to Campbell. No Republican journal that lays any claim to a reputation for decency pretends that Campbell is elected or has any shadow of title to the seat, save that which the governor of Utah invented when he gave him a certificate. Even the *New York Times*, while censuring the clerk for ignoring the certificate to Campbell, admits that it "really belongs to Cannon."

The *Louisville Post* said: "Clerk Adams placed Cannon's name on the roll of the house of representatives because Cannon was duly elected. No rational person, acquainted with the law and the facts, could decide otherwise. Cannon is entitled to the seat and no member of congress doubts that he will get it."

This from the *Cincinnati Times*: "The indications are

that Governor Murray, of Utah, does not run the United States congress."

The *Omaha Herald*: "Utah is likely to get her chosen delegate in congress. The fraud of Governor Murray has been repudiated by the clerk of the house."

The *Cincinnati Gazette*: "It is undoubtedly true that the majority both of Republicans and Democrats sustain the position taken by Clerk Adams in regard to the Cannon-Campbell case, notwithstanding the claims of the latter and his friends that he is entitled to the seat. The committee on elections was strongly of the opinion, and this without regard to party, that Governor Murray has taken an authority on himself which he has no legal right to exercise."

The *Sacramento Record-Union*: "The clerk of the house, Adams, has put Cannon on the roll of members, despite the bogus certificate of Governor Murray, and Mr. Campbell thinks it very hard that he should not be allowed to secure the seat to which he was not elected, after his friends had gone to so much trouble to issue a certificate which was fraudulent on its face." There were many other papers that voiced similar sentiments.

Naturally the Utah "ringites" were enraged at the course of Clerk Adams in enrolling the name of Mr. Cannon instead of Mr. Campbell's, and on the 8th of June brought suit, in the name of the United States, "in the nature of a bill of equity," in the third district court of Utah, asking first, that George Q. Cannon be adjudged *not* a citizen of the United States; second, that the certificate of citizenship he held be adjudged fraudulent and void; third, that he be enjoined from drawing the salary and compensation pertaining to the office of delegate to congress. To this proceeding the defendant, Mr. Cannon, demurred, and on hearing the arguments Judge Hunter dismissed the case on the ground that "the attorney-general of the United States should file complaint in behalf of the government in such cases"—in other

words, the plaintiff had no right to prosecute the case and the court had no jurisdiction to hear it.

P. T. Van Zile, United States district attorney for Utah, was joined with the attorneys of Mr. Campbell, Messrs. Sutherland and McBride, in an effort no doubt to give color to the idea that the United States government was really prosecuting the case. Judge Hunter permitted a very astonishing thing to be written into his order dismissing the case, namely, that from the facts stated in the complaint, which are admitted by the defendant's demurrer, "there is no record of defendant's naturalization, and that no proceeding for that purpose ever took place in court, and that the certificate held by defendant as a certificate of naturalization was obtained by fraud and has been fraudulently used, and is void on its face in not professing to be the copy of a record, and not certifying a regular naturalization, and therefore that there is no sufficient cause shown for annulling it." An examination of the demurrer—printed in full and with the whole proceedings had in the case in *Deseret News*, weekly, of Nov. 9th, 1881—discloses no such admissions. "This probably," says the author of *The Delegate From Utah*, "is the first case in the history of jurisprudence where a court at once determines that he has no power to proceed to determine the case, and at the same time renders a decree in favor of the plaintiff." Still, had the admission been made in the demurrer, it would have been but an admission for the sake of the argument. Yet, in the following excerpts from *The Delegate From Utah*, see what use is made of this falsely claimed admission: "Among lawyers there would be need of little to be said of the ridiculous features of this order; nor does it in itself have any effect; but immediately upon the filing of the order the agents of the conspiracy telegraphed to all the newspapers of the country that Judge Hunter had decided the naturalization of Cannon fraudulent; and solemn essays and articles appeared on the merit and effects of such

decision, as if the decision had been rendered on final decree, after a hearing of the facts. That a demurrer admits nothing except for the purpose of the argument of the demurrer, and cannot be used in any collateral or other proceeding, is abundantly proven by the following extracts from prominent authority." He then cites several law cases in point. Mr. Cannon's attorney sought later, (Dec. 16th, 1881) to have the record corrected, but this Judge Hunter refused to do, since what he had stated in the court order, he explained, was from the "effect" of the demurrer. "Of course," he added, "*there could be no finding of facts, as none were presented.*"²²

Relative to this matter of Mr. Cannon's citizenship it will be sufficient to say the question of his citizenship grew out of an alleged defect in the court record of his naturalization, for which he, of course, was in no way responsible. The whole question, however, had been investigated and settled in the 44th congress, when Mr. Baskin was the contestant. The committee on election at that time, by unanimous vote, overruled the objection to Mr. Cannon's eligibility on the ground of defective naturalization, holding that the judgment of the first district court of Utah on the point was conclusive, and under that ruling Mr. Cannon had retained his seat in that congress; and as Mr. Cannon forcefully said on this point of his naturalization, in his speech on the floor of the house during the contest in the 47th congress—his last speech in the house—"there ought to be some time in a man's life when the statute of repose should intervene to prevent his being annoyed upon a question of that kind, especially after it had been so thoroughly investigated."²³

The case next came up before the house of representatives on December the 7th. The speaker of the house, Mr. J. Warren Keifer, allowed the delegates from the other territories

22. *Deseret News*, weekly, account of motion made in court of Dec. 21st, 1881.

23. *Congression Record*, 47th Congress, 19th of April, 1881; also *The Delegate from Utah*, Appendix, p. ix.

to be called and sworn, but refused to have the name of Mr. Cannon called, thus ignoring the enrollment by Clerk Adams. Mr. Haskell, representative from Kansas, introduced a resolution declaring that Mr. Campbell, delegate-elect from Utah, "had a right to be sworn in as a delegate, on a *prima facie* case." Against this Mr. Cox of New York raised a point of order, *viz.*, that Mr. Cannon's name was on the roll of members and the speaker was bound to recognize that fact. A spirited debate followed, and the matter finally went over to the 10th of January.²⁴

When the question came up on the 10th, Mr. Haskell's resolution to swear in Mr. Campbell as delegate "on a *prima facie* case" was defeated, and a substitute motion by Mr. Thomas B. Reed, of Maine, directing—

"That the papers in relation to the right to a seat as a delegate from the territory of Utah be referred to the committee on elections, with instructions to report at as early a day as practicable, as to the *prima facie* right, or the final right of claimants to the seat, as the committee shall deem proper."

The amendment was carried by a vote of 189 to 24; and thus, without allowing either Mr. Cannon or Mr. Campbell to be sworn in, though with Mr. Cannon's name remaining on the roll, the whole question of *prima facie* and final right of the claimants was referred to the house committee on elections.

The day following this action Mr. Haskell brought before the house a resolution the purpose of which was to declare "as the fixed and final determination of the house of representatives of the 47th congress," that "no person living in polygamous marital relations, or guilty of teaching, or inciting others so to do, is entitled to be admitted as a dele-

24. *Congressional Record*, 47th Congress, Dec. 6th, 1881, pp. 33-43. All the official documents in the case are printed within these pages including a separate statement of the Utah election returns by counties and officially signed by Arthur L. Thomas, secretary of Utah territory, and headed "Credentials of Mr. Cannon." (*Ibid*, p. 43). So that this as well as Governor Murray's statement of Mr. Cannon's vote was evidently used as a certificate of Mr. Cannon's election.

gate from any territory." The resolution was introduced under a plea of "personal privilege," "to maintain the dignity of the house." After some debate it was decided by the house not to be a matter of personal privilege at all, and was thrown out by a vote of 139 against it, to 109 in its favor. It was of course, pretense all aside, a direct attempt to disqualify George Q. Cannon for the office of delegate to which he had been elected, and whose contest for his seat was then being considered by the house committee on elections. The manifest unfairness of the resolution was very apparent; and becomes more so when it is known, as the fact was, that Mr. Haskell took advantage of a written admission made by Mr. Cannon on the subject of polygamy before the committee on elections in order to expedite the contest before that body.

Following is the written statement of Mr. Cannon referred to above:

"I, George Q. Cannon, protesting that the matter in this paper contained is not relevant to the issue, do admit that I am a member of the Church of Jesus Christ of Latter-day Saints, commonly called 'Mormons;' that in accordance with the tenets of said church, I have taken plural wives, who now live with me, and have so lived with me for a number of years and borne me children. I also admit that in my public addresses, as a teacher of my religion in Utah territory, I have defended said tenet of said church as being in my belief a revelation of God."

[Signed] "GEORGE Q. CANNON."²⁵

This paper was given by Mr. Cannon to the committee on elections to obviate the necessity of the contestee, Mr. Campbell, calling witnesses and going into the proof of the matter, as he proposed to do. No sooner was it given than Mr. Haskell made it the basis of his resolution to disqualify Mr. Cannon for taking his seat.

This admission of Mr. Cannon in the house debate that followed later was made conspicuous by being placed in contrast with a statement of his made in the contest with Maxwell in the 43rd congress, wherein he denied that he was "living with four wives or that he was then living with or cohabiting

25. *Congressional Record* of 11th Jan., 1882, p. 359.

with any wives, or had ever lived in violation of the laws of God, man, his country, decency, or civilization or any law of the United States." This in 1874. The anti-bigamy law of 1862 made the *act of marrying another woman* while the legal wife was living and undivorced, the crime, not the subsequent polygamous cohabitation. And as Mr. Cannon had married all his wives previous to 1862—and the law could not be retroactive, and as there had been no law on the subject of cohabiting with polygamous wives until the passage of the Edmunds act of 1882, Mr. Cannon was plainly within the truth when he said in 1874 that such relations as he had contracted and maintained in Utah were not illegal—not in defiance of, or in violation of, the laws of congress.²⁶

It may be claimed that this was dealing with "refinements" in the use of language, to stand within the law—technicalities merely. Be it so; but they are technicalities that the law permits; and certainly there was no intention at deception in the case, and none was possible, as Mr. Cannon's marriage status was notorious, being even nationally known.

The final action of the house of representatives in this case belongs to a later chapter.

26. See Cannon's speech in the 47th Congress, 19th of April, 1882, *Congressional Record*, pp. 3036-70.

CHAPTER CLIV

THE ANTI-"MORMON" CRUSADE, 1879-1884—POLITICAL— SECTARIAN

RUNNING parallel with the later incidents of this contest over the seat for delegate from Utah, was another incident of even greater importance, and one designed to, and which did effect the contest over the delegateship. This was the passage of the celebrated Edmunds bill during the first session of the 47th congress.

A NATION-WIDE ANTI-"MORMON" AGITATION

While the press of the United States, as already noted, almost universally condemned the action of Governor Murray, for giving the certificate of election to Mr. Campbell, to whom, clearly, it did not belong; and while a number of influential papers sustained Clerk Adams in placing the name of Mr. Cannon upon the house roll, still there was a wave of anti-"Mormon" sentiment sweeping over the country during the years 1880-1882 that was quite appalling. At no previous time, perhaps, had anti-"Mormon" prejudices been more violent, or unreasoning; and public opinion loudly demanded some settlement of what was quite generally called the "vexed Mormon question." The question had been treated in four official communications from three presidents of the United States. First, President Hayes in two annual messages to congress on December 1st, 1879, and December 6th, 1880, respectively.

"If necessary to secure obedience to the law," President Hayes wrote in his first message, "the enjoyment and exercise of the rights and privileges of citizenship in the territories of the United States may be withheld or withdrawn from those who violate or oppose the enforcement of the law on this subject [i. e. polygamy]." In the second message he recommended the practical abolishment of the territorial gov-

ernment and the establishment of a government by a governor and legislative commission. He said: "Polygamy will not be abolished if the enforcement of the law depends on those who practice and uphold the crime. It can only be supposed by taking away the political power of the sect which encourages and sustains it. * * * I recommend that congress provide for the government of Utah by a governor and judges or commissioners, appointed by the president and confirmed by the senate—a government analogous to the provisional government established for the territory northwest of the Ohio by the ordinance of 1787. If, however, it is deemed best to continue the existing form of local government I recommend that the right to vote, hold office, and sit on juries in the territory of Utah be confined to those who neither practice nor uphold polygamy."¹

The severity of these measures,—un-American in spirit and beyond question unconstitutional—indicate the temper that had been developed by the anti-"Mormon" crusade, made the title of this chapter. Such recommendations as these grew out of that political heresy of the times that "the Constitution confers upon congress sovereign [absolute] power over the territories of the United States."²

It scarcely requires an argument with the citation of authorities to convince one that such a course here recommended by President Garfield, supported though it was by a vitiated public sentiment against the Latter-day Saints, and I say it with all due respect to the revered memory in which President Garfield is held by the American people—was a plain apostasy from American principles of government and the adoption of that odious colonial policy practiced by Great Britain upon her American colonies, and which those colonies overthrew and forever destroyed by the Revolution of 1776, in the adoption of the doctrines of the Declaration

1. For these two messages see *Messages and Papers of the Presidents*, vol. vii, pp. 559-60; and 605-6.

2. Republican Platform, 1876, Cooper's *American Politics*, bk. ii, p. 56.

of Independence.³ President Garfield referred to the "Mormon question" in his inaugural address on March 4th, 1881;⁴ and doubtless, had his life been spared to the time of the meeting of congress, he would have made very definite recommendations to congress on the subject of legislation for Utah. But on the 2nd of July, he was shot down by the assassin, Charles Guiteau. Chester A. Arthur, the vice president, succeeding to the presidency, in his message to congress, December 6th, 1881, urged vigorous measures against the plural marriage system of the Latter-day Saints. Among other things he called attention to the then recent decision of the supreme court in the Miles case, in which the judgment of the lower court in the conviction of Miles for bigamy was reversed.⁵ The court in rendering this decision called attention to the difficulty of proving polygamous marriages, and suggested the propriety "of modifying the law of evidence which makes a wife incompetent to testify against her husband."⁶ This suggestion of the supreme court President Arthur changed to a recommendation to congress; and also recommended that stringent laws be passed, with heavy penalties, requiring the filing of marriage certificates with the supreme court of the territory, by the officiating person.

"CHRISTIAN" SECTARIAN BITTERNESS

In addition to these recommendations to congress by the chief executives of the nation here named, the chief of the

3. For an incisive analysis of this proposition, and its utter abolishment in argument by one of the most noted jurists of the United States—second only, perhaps, to Chief Justice John Marshal,—see a speech by Judge Jeremiah S. Black,—attorney-general, and, in the closing months, secretary of state in Buchanan's administration, and formerly chief justice of the state of Pennsylvania—delivered before the judiciary committee of the house of representatives, Feb. 1st, 1883, in behalf of Utah on the subject of "Federal Jurisdiction in the Territories," and published in a pamphlet of 28 pages. Excerpts of which will be found in a *Note*, end of this chapter.

4. *Messages and Papers of the Presidents*, vol. viii, p. 11. Among other things he said: "In my judgment it is the duty of congress, while respecting to the uttermost the conscientious convictions, and religious scruples of every citizen, to prohibit within its jurisdiction all criminal practices, especially of that class which destroy the family relations and endanger social order."

5. See this *History*, chapter cxlviii.

6. *Messages and Papers of the Presidents*, vol. viii, p. 57.

sectarian churches of the country once more took up the "Mormon question" and made urgent demands for drastic legislative measures against the Latter-day Saints of Utah.

Among the more prominent religious bodies acting upon this matter was the Protestant Episcopal church which met in a general convention in the city of New York from the 6th to the 27th of October, 1880. This body was the most moderate of the churches in its recommendations. One of its resolutions said:

"Resolved, the house of bishops concurring, that while there are peculiar difficulties in the execution of this law, owing to the religious fanaticism (doubtless oftentimes sincere) by which the institution of polygamy is upheld, and especially to the fact that the interests of many innocent persons are unhappily involved, it is still the duty of every Christian citizen of this republic to use his influence to aid the United States government in bringing about, as speedily as possible, a merciful but firm enforcement of the law in regard to polygamy or bigamy in the territories of the United States."⁷

An Episcopal convention held in New York City, 11th of April, 1881, passed a series of resolutions much harsher in tone than the above. This convention approved the reference to "Mormonism" in President Garfield's inaugural address and said: "The filth of its abominations is overflowing into other territories, and in conjunction with communism threatens, in effect, the nation. The people's neglect in this matter has already become a national wrong, if not a crime." This convention said that if the severe legislation prayed for failed, "*We commend the use of the strong force of the military arm.*"⁸

The Methodist Episcopal church assembled in the northern New York conference, at Oswego, April 16th, 1881, passed a series of denunciatory resolutions against the "Mormon" church, one of which said: "We most respectfully but earnestly demand of our national legislature enactments that shall relieve our country from the oppressive, un-American and criminal features of this national disgrace and

7. Page 59 of the proceedings (pamphlet); also reproduced in *Deseret News*, weekly, of Jan. 15th, 1881, p. 308.

8. *Ibid*, p. 308.

curse." The convention also joined with the brethren of the Newark conference of the same denomination, in asking "the religious and secular press and all ecclesiastical assemblages to urge upon the public mind this important subject and to vigorously sustain the executive and legislative branches of our government in all needed action in relation thereto."⁹

The Central Pennsylvania conference of this demonination joined in the movement. At the Presbyterian Mission Board meeting, held at Buffalo, N. Y., on May 27th, 1881, many bitter anti-"Mormon" speeches were delivered, and congress was denounced for "allowing Mormonism to grow." It was at this meeting that Mrs. Horace Eaton read her somewhat celebrated paper on the *Rise of Mormonism*.¹⁰

The Baptist Home Mission Society meeting held at Indianapolis, May 26th, 1881, authorized the executive board to address a Memorial to the president and congress of the United States calling for early measures to prohibit the practice of polygamy. The Reformed Episcopal church of New York, on the same date, took similar action. On June 8th, the Home Missionary Society at the anniversary meeting—1881—adopted a Memorial to congress and the president of the United States praying for the adoption of speedy measures for overthrowing the evil of Mormonism. At this meeting Mr. Haskell, member of congress from Kansas, was present and spoke most bitterly, saying that "Mormonism" "at its best was but a beastial relic of barbarism."

RADICALISM OF UTAH'S SECTARIAN MINISTERS

At several of these conventions and missionary board meetings, local sectarian ministers, missionaries in Utah, were present, reported "conditions in Utah," and urged the passage of extreme legislative measures against the Latter-day Saints. It is but the truth to say—however much regret one may feel

9. *Ibid*, p. 308.

10. *Hand-Book on Mormonism*, Coyner, pp. 1-4.

in saying it—that strict regard for truth was not always an element of many of these reports, and certainly but little of the Christian spirit was manifested in the utterances of these reverend gentlemen.

Among those from Utah who were particularly active in this kind of work were Rev. C. P. Lyford, of the Methodist Episcopal church; Rev. J. M. Coyner of the Presbyterian church; Rev. W. M. Barrows, of the Congregational church; Rev. D. L. Leonard, superintendent of "Home Missions for Utah." As specimens of exaggeration and bitterness it is pointed out here that Mr. Leonard in pleading the financial and other needs of his mission district, declared that "there were 620,486 young persons in the Mormon district, and that it was the youthful element that the missionaries were working on."¹¹ As a matter of fact there were not one-half that number in the entire membership of the "Mormon" church at that time, much less, of course, that number of "young persons." On the same occasion Professor J. M. Coyner said that he had analyzed "Mormonism" and "found it included *diabolism*, *animalism*, *Mohammedanism*, the bigotry, cunning and treachery of *Judaism*, and *Thugism*, which made a dose for Columbia, and he wondered how long she could stand it."¹²

UNWARRANTED INSINUATIONS IN THE ASSASSINATION OF PRESIDENT GARFIELD

Individual utterances of a number of the clergy in the United States were even more reckless and vicious than the resolutions of religious conferences and missionary conventions. The Rev. T. DeWitt Talmage, on Sunday, the 2nd of October, 1881, in a public discourse at the Brooklyn New York tabernacle very broadly implied that Guiteau, the assassin of President Garfield, was a "Mormon;"¹³ and further

11. See Mr. Leonard's Report at the Buffalo Meeting; reproduced in *Deseret News*, weekly, June 15, 1881.

12. *Ibid.* Vigorous editorial treatment of the action of these several sectarian conferences and conventions will be found in the *Deseret News*, weekly, impressions of 15th and 22nd of June, 1881.

13. The full name of the assassin was Charles J. Guiteau, and the reliable work of the popular *History of the United States* by Wm. Cullen Bryant, Sydney Howard

said that he "should not wonder if in the great day, when all such things are revealed, it should be found that he was a paid agent of that old hag of hell [i. e. the 'Mormon' church] who sits making mouths to heaven between the Rocky Mountains and the Sierra Nevada."¹³ The reverend gentleman also said that "while all the good people throughout the world were praying for the president's recovery, the Mormons were praying for his death." "If the death of Garfield," he added, "shall arouse the nation to more hatred of that institution of Mormonism which was Garfield's special disgust, he will not have died in vain."

The sermon in full will be found in the *New York Express* of October, 1881. A synopsis of it as a press dispatch was sent to the papers of the country on the 4th. "I will not say Guiteau was a Mormon; nor would I dare to say he was not," the press dispatch represented the Brooklyn divine as saying, "but Guiteau says he shot Garfield in the name of the Lord. If he was not a Mormon he was one of the Oneida community," whose chief doctrine was right to a profusion of wives. In the full text of his speech he declared Guiteau had "the Mormon ugliness." "He had the spirit of Mormon licentiousness; of Mormon cruelty; of Mormon murder." Then follows the insinuation quoted above that Guiteau was the paid agent of the "Mormon" church.¹⁴

Mr. Haskell, representative from Kansas, in a speech on the Cannon-Campbell contest in congress, thought enough of this vulgar, brutal phrase of the Brooklyn divine—"that old hag of hell who sits making mouths to heaven between

Gay, and Noah Brooks, published by Scribner, 1896, makes this statement: "Guiteau was arrested at once and he defiantly exclaimed 'allright; I did it and will go to jail for it, I am a stalward and Arthur (vice president) will be president.' A thrill of horror ran through the country when it was known that Garfield had been mortally wounded by a disappointed office seeker, and that the unseemly career of leading politicians was by remote implication connected with this cruel crime." And this was the only cause that ever developed concerning the motive of the madman who shot down President Garfield. (See Scribner's *History of the United States*, Bryant-Gay-Brooks, p. 523).

14. Press dispatches of October 4th, 1881, in *Salt Lake Tribune* of October 5th, 1881.

the Rocky Mountains and the Sierra Nevada"—to plagiarize it into the closing sentence of said speech.¹⁵

At Dayton, Ohio, on the same day of the DeWitt Talmage ebullition in the Brooklyn tabernacle, the Rev. J. H. Parks, a Baptist divine, told his congregation that the "Mormons" rejoiced over the death of President Garfield, because in his inaugural address he favored the adoption of some means of abolishing this "infamous practice of polygamy." "I would," said the reverend gentleman, "that the guns of Fort Douglas were turned upon them, and they made loyal by this means if by no other means."¹⁶

The story that the news of the assault upon President Garfield was received in Salt Lake City "with joy and satisfaction;" and that "prayer circles" of the church were constantly imploring the destruction of the president, found its way into a number of eastern papers in the latter part of July and early in August. There was coupled with this statement also another, not less infamous, to the effect that "when President Lincoln was murdered the saints gathered and had a time of joy and gladness, singing praises and giving glory to God for the assassination."¹⁷

In editorial comment of the Latter-day Saint organ—the *Deseret News*—the story was indignantly denied. The *Providence* (Rhode Island) *Star* published the story, but proclaims its disbelief in it: "We do not believe the 'prayer circle' story that is now going the rounds of the press," it said. "There are bad Gentiles as well as Mormons in Salt Lake City, and lying about the saints is one of their chief accomplishments. The account of a prayer for the death of President Garfield has about it all the earmarks of a Gentile roorback, and we believe we could put our fingers upon its source in the Mormon capital."¹⁸ The *Boston Watchman*,

15. See *Congressional Record* of Jan. 10th, 1882, p. 326.

16. The *Dayton* (Ohio) *Daily Herald* of Oct. 3rd, 1881; copied into *Deseret News*, weekly, of Oct. 26, 1881.

17. *Deseret News*, weekly, of Aug. 3rd, 1881.

18. *Ibid.*

the organ of "New England Orthodoxy" was very specific in its charge. "It is an interesting fact," it said, "that on the day set apart for prayer for the president, * * * the *Deseret News*, organ of the Mormons, declared that the 'praying circle' of the Mormon church was engaged in continual supplication for the death of President Garfield." "If the *Watchman* can produce anything of the kind as an assertion of the *Deseret News*," commented the editor of that journal, "either on the day named or at any other time, we will agree to regard the Boston religious paper with some degree of respect."¹⁹

DEMONSTRATIONS OF SYMPATHY FOR PRESIDENT GARFIELD BY THE LATTER-DAY SAINTS

Relative to the manner in which the news of the assassination of Lincoln was received in Utah, and the course of both the Latter-day Saints and the Gentiles with reference to memorial services, and the genuine sorrow of the whole community without respect to political or religious differences—all this has already been treated in these pages.²⁰ As to the murderous assault upon Garfield, every evidence that a community could give of its sorrow over so shocking an event was manifested. Elaborate preparations were under way for the public celebration of the Fourth of July that year in Salt Lake City. There had been an expenditure of considerable sums of money and much labor employed for the purpose of making this year's celebration of the anniversary of the nation's birth memorable; but when the news of the assault upon the president reached Utah—he was shot down on the 2nd of July—all thoughts of a celebration were at once abandoned, and the sad news sent to the remotest parts of the territory, that all arrangements for rejoicing and merriment should be suspended.²¹

The 24th of July is Utah's "Pioneer Day;" a day of general rejoicing, public amusements, and festivities; but as

19. *Deseret News*, weekly, Oct. 5th, 1881.

20. See chapter cxxiv this *History*.

21. *Deseret News*, weekly, of Aug. 3rd, 1881.

President Garfield's life was still hanging in the balance, it was considered no time for public rejoicing while he was lying in a critical condition, so no preparations were made for celebration of the day that year—"although the facilities reserved from the Fourth [of July]," said the *Deseret News*, "are at hand waiting to be utilized." "This is a small thing," the editorial continued, "but it shows the feelings of the people on the subject under consideration"—the charge that the people were praying for the death of the national executive. "We repudiate with all our soul's energies, the malicious charges made in the fiendish paragraph referred to."²²

When word that the president had been dangerously wounded was received in Salt Lake City, and the matter of abandoning the Fourth of July celebration was presented to John Taylor, president of the church, he said in a public statement:

"In relation to the startling news that we have heard concerning the attempted assassination of President Garfield. whether it arises from private animosity and personal feelings of revenge, or whether it originates from a political clique, it is one of those things that all right-feeling people will lament. * * * We ought not only in appearance, but in reality, in our hearts, have feelings of sympathy towards those who have suffered with the honorable president of the United States in this dire calamity which has overtaken him; and to feel to execrate the wretch who has perpetrated so foul a deed. * * * I propose to send word to all our prominent men throughout the territory to cease from any exhibition of jubilation on the Fourth of July; and to act in sympathy with our injured president as becomes good and faithful citizens, and to not only act in that way, but to feel so in our hearts, that we may truly sympathize with the chief executive and with his family, and with the nation of which we form an integral part."²³

In pursuance of this declared intention relative to the celebration of the Fourth of July, the following telegram was sent to all stake presidents of the church:—

TO THE PRESIDENTS OF STAKES

"The lamentable news having reached this city this morning, that an attempt has been made upon the life of President Garfield by an assassin, and that he is now lying dangerously wounded; execrating as we do the horrible crime of assassination, we suggest to the Latter-day

22. *Deseret News*, weekly, of Aug. 3rd, 1881.

23. *Deseret News*, weekly, of July 6th, 1881.

Saints that out of respect to the nation's chief magistrate, and in accordance with our heartfelt sympathy in behalf of all, preparations by them for celebrating the national birthday, July 4th, throughout the territory of Utah, be suspended, and the demonstrations usually had on that day be dispensed with.

"JOHN TAYLOR,
[Signed] GEORGE Q. CANNON,
JOSEPH F. SMITH,
First Presidency." 24

Finally when the end came,—19th of September—President Taylor in a very courteous note to Governor Eli H. Murray, under date of September 23rd, tendered to him the use of the great tabernacle for union services by the people of Salt Lake City without regard to religious affiliation.

The body of President Taylor's letter to the governor—from which the spirit of the tender may be judged—was as follows:

"Dear Sir: Fully appreciating the motives which have suggested the issuance of proclamations of President Arthur, as the chief magistrate of the United States, and yourself as governor of the territory, to the effect that Monday next be observed as a day of humiliation and mourning, and that the usual business of the day be suspended, and the people gather to their respective places of public worship, to pay their tribute of sorrowful respect to the memory of the late President Garfield, I take the liberty of tendering to you, and through you to the various religious denominations, and to those citizens who do not belong to any religious denomination, the use of the large tabernacle in this city, for the services on that occasion, as a building in which all the citizens can meet without distinction of sect and party, and unite in ceremonies appropriate to the solemn occasion.

If it should be agreeable to yourself and the various congregations, and the citizens generally, to accept the tender of this building, you will be at perfect liberty to make such arrangements as to the speakers who will occupy the time, and also the singing and of the ceremonies connected therewith, as you may deem proper.

Yours very respectfully,
JOHN TAYLOR." 25

The tender, however, was respectfully declined on the ground that previous arrangements had been made by several of Salt Lake City's churches for union services, and in other

24. *Ibid.*

25. The governor's reply declining the tender of the tabernacle, for the reasons given in the text, was equally courteous. Both letters will be found in *Deseret News*, weekly, of Oct. 12th, 1881, p. 583.

cases for services in their respective churches, in one of which the governor had promised to join.

THE LATTER-DAY SAINT MEMORIAL SERVICES FOR PRESIDENT GARFIELD

As President Taylor's tender of the Salt Lake tabernacle for union service was not accepted by Governor Murray for a union service, the Latter-day Saints assembled there in large numbers, and solemn and impressive services were held amid the emblems of sorrow with which the interior of the building was draped. A full report was made of these services, including *verbatim* reports of the speeches and prayers, in the official organ of the church.

The services were held as per the appointment of President Arthur, on Monday, the 26th of September. George Q. Cannon who was on terms of intimate, personal friendship with President Garfield (who was acquainted with a number of the early elders of the "Mormon" church, among them Sidney Rigdon and Parley P. Pratt), said at the services in referring to the supposed hostility of President Garfield to "Mormonism":—

"He may have been willing to talk against us; he did in his inaugural message; but I always thought that if President Garfield could be brought face to face with any question affecting us, and matters could be laid fairly before him, he was a man of too high and too just a conception of right, to do even a humble and obscure people like we are—a people who have been maligned and who are unpopular as we are—an injustice knowingly. That is my estimate of his character."²⁶

NOTE

JUDGE JEREMIAH S. BLACK ON FEDERAL JURISDICTION IN THE TERRITORIES

It having been asserted, and indeed the then proposed legislation for Utah (for the proposed vicious legislation of the Hayes' administration in 1879 persisted to and beyond the speech of Judge Black in 1883)—being based upon the assumption, that congress had exclusive juris-

26. *Deseret News*, weekly, of Oct. 5th, 1881.

diction over the territories—the old British claim that she could legislate for her American colonies “in all cases whatsoever”—Judge Black proceeds to inquire:

“Has congress this exclusive power of legislation for a territory? or does it belong to the people of the territory and to the representatives whom they have chosen to intrust with it? I maintain that the right of local self-government is founded on acknowledged principles of public law; it existed before this government was framed, and the Constitution reserves it to the people of the territories as distinctly as to the states. * * * I do not assert that they can govern themselves in a way forbidden by the federal Constitution, or by an act of congress passed in pursuance thereof. The people of a state cannot do that. What I do assert is, that congress cannot legislate for a territory on any subject-matter on which it cannot legislate for a state. This furnishes an easy and infallible test of constitutionality. If congress may regulate marriage and divorce in a state, it may do so in a territory; if not, not.

It is true, also, that the general government may give the colonists a charter, and call it an act of incorporation or an organic law. This was what the imperial government of England did for the several colonies that settled on its lands in America. But the charter must be a free one. If it abridges the liberty of the people to do as they please about matters which concern nobody else, it is void. Even if the colonists would consent, for a consideration, to accept an organic law imposing a restraint upon the right of self-government, they could throw it off as a nullity; for the birthright of a freeman is inalienable. I need not say that foreigners naturalized are on a level with native citizens.

As congress cannot give, so it cannot withhold the blessing of popular government in a territory. But the legislation now proposed, in addition to that already passed, would blacken the character of the federal government with an act of cruel perfidy. The charter you gave to Utah was in full accordance with the broad principles of American liberty. You organized for them a free territorial government, put into their hands all the machinery that was needed to carry it on; the ballot to be used under regulations of their own; officers chosen by themselves to administer their local affairs, collect the taxes and take charge of their money, and a legislature representing them, responsible to them, clothed with exclusive power to make their laws and to alter them from time to time, as experience might show to be just and expedient. Gilding your invitation with this offer of free government, you attracted people from every state and from all parts of the civilized world, whose industry scattered plenty over that barren region and made the desert bloom like a garden. Now you are urged to break treacherously in upon their security—supersede the laws which they approve by others which are odious to them; make their legislation a mockery by declaring that yours is exclusive; drive out the officers in whom they confide, and fill their places with raging and rapacious enemies; take away their right of suffrage, and with it all chance of peaceable redress; break down the whole structure of territorial government, under which you promised

to give them a permanent shelter. Would not this be a case of Punic faith? * * * The relations of the colonies to Great Britain were precisely the same as those which exist between what we call the territories and the general government of the United States. By the public law of the world, the colonies had the right of local self-government. The imperial parliament, omnipotent at home, was utterly without power to legislate on the domestic affairs of any community settled upon crown lands sold or given to them on this side of the Atlantic. This freedom was not only asserted by the colonists, but for more than a century they were allowed to enjoy it without disturbance. The exclusiveness of their right to legislate for themselves, the extent to which it was exercised, and the range of subjects it embraced are known to all who have read their history."

Previous to this Judge Black had in the same speech said:

"It is perfectly clear that if your claim to exclusive jurisdiction be established, so as to comprehend the power to punish men and women for making family arrangements which you disapprove, you have authority to define all offenses; anything is a crime which you choose to call so, and everything is innocent which you think proper to tolerate. You may therefore make an entire criminal code for them, and you may make it as pernicious as you choose. It need not be 'a terror to evil-doers, or a praise unto them that do well,' if you wish to have it otherwise. The virtues may be visited with penalties; justice, chastity, temperance and truth may be sent to the penitentiary; swindling and perjury may be legalized. Taking the exceptional jurisprudence of Sparta as a model, larceny may become a merit, or following a more recent precedent in the congressional government of the south, you can maintain the worst men in the highest offices, throw the reins loose on the neck of rapacity, make leprous fraud adored,

Place thieves,
And give them title, knee and approbation
With senators on the bench.

If you have not only the right, but the exclusive right, to do this, it must be acknowledged that there is no use for a local government; it is merely in your way, and accordingly you have already begun to abolish it. Agents appointed under your laws have gone down with instructions to take possession of all the polling places and registration offices, and the people were expressly forbidden to vote except by their permission and under their supervision. They construed your law as a bill of pains and penalties, which attainted the whole population, and they ordered every voter to be disfranchised who would not take an expurgatory oath that covered his whole life. Another set of agents assert that they have your direction to seize all the territorial offices, and distribute them as booty among the enemies of the people. One more step, an easy and a short one, you are much urged to take, and that is to send a commission upon them, with power, not only to supervise them when they vote, and deprive whom they please of the ballot, but to make and execute all laws on every subject, and to govern them generally as an overseer might govern a plantation of slaves.

Of course it is possible that the territory might be controlled justly, wisely, and moderately by the hirelings of the federal government. But the chances are a thousand to one that they would act as persons in that situation have always acted—oppress and plunder their subjects, steal their money, and tax their industry to death. This might provoke the resistance of the most patient people, and the first symptom of disorder would furnish a legal excuse for cutting them up root and branch. Arbitrary rulers pardon nothing to the spirit of liberty."²⁷

27. From speech of Judge Black before house committee on territories, 1st Feb., 1883, pamphlet, *Federal Jurisdiction in the Territories*, pp. 10, 11, 12, 13, 14.

CHAPTER CLV

UNFAIRNESS OF THE AMERICAN PRESS ON THE "UTAH QUESTION"— PASSAGE OF THE EDMUNDS BILL—SEAT OF UTAH'S DELEGATE IN CONGRESS DECLARED VACANT

THE press of the country was very reluctant to give a hearing to the "Mormon" side of the controversy religious and political then literally raging—1879-1884. It was only here and there that a voice was heard to say a word on the "Mormon" side, and when this was done it was usually attended by such modifications and apologies as to rob it of its force. *Harper's Monthly* for October, 1881, admitted an article by Judge Charles C. Goodwin, who had recently become the editor of the *Salt Lake Tribune*, then a very bitter anti-"Mormon" sheet; but refused to receive an article in reply from the editor of the *Deseret News*, Charles W. Penrose.¹ Judge Goodwin's article, to say the least of it, was reckless in statement, and extreme in its conclusions in respect of Utah affairs. One can but think that the writer of it—then newly arrived in the territory,² and from a veritable hotbed of rank apostates and of anti-"Mormonism"—western Nevada—accepted without serious investigation the street talk, the current apostate reports, and anti-"Mormon" gossip at full face value, instead of at their necessarily large discount value.

THE REV. DUNCAN J. McMILLAN CASE

He incorporated in his narrative, for example, the untruthful story of a young Presbyterian minister, Rev. Duncan J. McMillan, who came to Utah a few years before to regain his health, and whom, it is charged, Brigham Young in a public meeting "ordered killed," and whose life was several times attempted under that order, and for no other reason

1. Letter of Matthias F. Cowley to the *St. Louis Globe Democrat*, Feb. 5th, 1882; and Whitney's *History of Utah*, vol. iii, p. 173.

2. See biographical sketch of Goodwin in Whitney's *History of Utah*, vol. iv, Biographies, p. 341.

than that said Rev. McMillan "opened a school to teach the illiterate young Mormons of San Pete county!" "He went to San Pete valley," runs the judge's narrative, "*where there were no schools*, where there were boys and girls nearly grown to manhood and womanhood who were totally ignorant of the rudiments of an education, and opened a school."

I follow strictly the text of *Harper's Monthly* here,³ and call attention to the fact, because when excerpts of this article were made by the compiler of *The Hand-Book on Mormonism*, the Rev. J. M. Coyner, he wrote it—"there were no American Schools,"⁴ which represents the quibble by which the "divine" would help out the judge, whose statement in either case was a gross untruth as will appear in a note that immediately follows.

The statement that there were no schools in San Pete county until McMillan went there and founded them, brought forth indignant denials from the leading citizens of San Pete county. Wm. T. Reid, who was superintendent of schools in said county from November, 1867, until August, 1877, made affidavit that in the year 1867 (fourteen years before the Goodwin article) there were 1,130 pupils enrolled in said schools, with an average daily attendance of 794; while in 1877 the number of pupils enrolled was 1,860, with an average attendance of 1,312; that these schools were in session eight months during each year.

In relation to Brigham Young "in a public meeting"—where two thousand people were assembled—ordering the young minister "to be killed" for establishing schools—one would think the story would break down by the mere statement of it, on the ground of its absurdity. But not so. Judge Goodwin seriously undertook to establish the truth of it in one of a series of *nine editorials* in the *Salt Lake Tribune*, written in defense of his *Harper's Magazine* article, wherein he gives a more circumstantial narrative of the meeting at

3. See number for Oct. 1881, p. 758.

4. *Hand-Book on Mormonism*, p. 46.

which the "order to kill" was given, and of the several attempts to make the order effective.

These editorials numbered from I to IX appear in the *Salt Lake Tribune* from Oct. 1st to 9th, 1881. In the March number of the *North American Review* Judge Goodwin had an article on "The Political Attitude of the Mormons" which had attracted considerable attention, and doubtless opened the way for his article in *Harper's Magazine* in October. An able review is made of the *North American* article in the editorial columns of the *Deseret News*, weekly, of March 2nd, 1881; and George Q. Cannon was permitted to answer the Goodwin article in the May number of the *Review*. Among many corrective statements that he made was one in respect of the Utah schools, as follows: "The average duration of school days in all the states and territories per year is 126.8; while in Utah it is 146; it stands eleventh in this respect in the list. Of a school population, nearly two years ago, of 34,929, there were 66 per cent enrolled. At that time there were 373 public schools, and an average daily attendance of 47 per cent. The text books are principally those used in the other parts of the republic. Schools there [i. e. Utah] have received no aid from the parent government."

Relative to the attempts upon the life of McMillan a large number of affidavits from those in attendance at the meeting were collected and published.⁵ "Affidavits declare that no such orders were given in the meeting referred to, neither has there, to the best of our knowledge, ever been made any attempts upon the life of said D. J. McMillan while here, and the statement of C. C. Goodwin, in relation to these things is utterly false and without foundation in truth."

Affiants further declare, that at a public meeting held at Mount Pleasant, Rev. Duncan J. McMillan voluntarily made the statement that certain articles published in the *Rocky Mountain Christian Advocate*, and copied into other eastern

5. See *Deseret News*, weekly, of Jan. 11th, 1882, p. 790.

journals, where among other things it was stated that he had to preach in this country "with pistol in one hand and *Bible* in the other," and also that several attempts had been made upon his life, were published without his knowledge or sanction, and were untrue. And he there and then promised to publish said statement in the journals of this territory, which promise, however, he never kept.⁶

It is in the *Tribune* impression of Oct. 6th that Mr. Goodwin deals with President Young's "order to kill McMillan," and the alleged attempts upon his life. After detailing the narrative he says: "The foregoing is a simple statement of facts, gathered from the notebook of the man who was assailed [i. e. Rev. McMillan], who sat by and heard Young's denunciation and George Q. Cannon's endorsement of all his chief had said." This throws the responsibility for the story of the "order to kill" upon McMillan. It is in this editorial that the judge alleges that 2,000 people constituted the congregation and fixes the date of the meeting on the 22nd and 23rd of July, 1875. The attempts upon McMillan's life are thus stated: "The next night [i. e. following the meeting at which the 'order to kill' was given], McMillan's house was stoned; and the next night a murderer seeking entrance into the house was driven away with a pistol. Later an ambuscade was laid for the minister, which he escaped by taking another road."

EFFECTIVE DENIAL OF THE McMILLAN FICTION

Against the statement of Judge Goodwin, based—as may be seen by the above quotations—upon the representations of McMillan, eight reputable citizens of Mt. Pleasant, among them John Waldemar, a non-"Mormon," made affidavit to the following effect: That they were present at the meeting held in Mt. Pleasant, at which Brigham Young is said to have

6. *Ibid.*, signed statement by Wm. S. Seely, Wm. F. Reynolds, Niels P. Madsen, John Waldemar, (non-"Mormon") C. J. Anderson, Jens C. Nielsen, Niels Johansen, Charles Hampshire.

instructed his hearers to kill the young Presbyterian minister, Duncan J. McMillan; that no such instruction was given, that no attempts to the best of their knowledge were ever made upon the minister's life, and that he, Duncan J. McMillan, publicly declared such statements respecting attempts upon his life—to be untrue.

This man, McMillan, be it remembered, had been represented as the minister who in "barbarous Utah" had been compelled "*to preach with pistol in one hand and Bible in the other!*" The story was made to do service in the east, primarily to exhibit the personal heroism of the sectarian ministry in Utah, and incidentally, no doubt, to increase the missionary funds for the redemption of "poor Utah." It had its origin with one Rev. C. P. Lyford, for a short time a minister of the Methodist Episcopal church at Provo, Utah; who first reported it as being his own experience. So that the "pistol story" is in reality but a plagiarism of a Methodist Episcopal fiction, made to do common service in an anti-"Mormon" crusade.⁷

The exposure of McMillan through the affidavits of leading citizens of San Pete county did not deter the gentleman from continuing his mendacity, for on the 31st of April, of the same year of his exposure, in the city of Denver, Colorado, he delivered himself practically of the same story. Indeed he was introduced by the local minister in Denver, Rev. Mr. Hayes, as "the man who carried the Cross into the camp of the Danites in the face of death, and preached the gospel of Christ with his hand on his pistol." McMillan on the occasion repeated the story of Brigham Young ordering his death, and of the assaults upon his house, when he "*forgot he was a minister and thought only of his pistol!*"⁸

7. See *Deseret News*, weekly, 11th of Jan., 1882; also *Ibid* of Sept. 21st, 1881. Lyford was the author of several anti-"Mormon" tracts and books, the principal of which is *The Mormon Problem*, 1886.

8. *The Denver Republican*, May 1st, 1882, quoted by *Deseret News*, weekly, of May 24th, 1882, p. 276.

VARIOUS SUGGESTIONS FOR THE SOLUTION OF "MORMONISM"

Various plans, regarded as more or less concrete, were suggested through this period for the solution of the "Mormon question." Here is one from the *Chicago Interior*, an organ of Presbyterianism:

"Let the lands and tenements of the Mormons be thrown open to original entry by civilized settlers. * * * Let it be understood that the army will keep out of the way in Utah for four years, and that the use and occupation of Mormon property for one year is to give a pre-emption title. There are enough young men in the west and south who are seeking homes to finish up the pest, fumigate the territory, and to establish themselves in ninety days after the word 'go' is given."

The *Congregationalist* of Boston, made the following comment on the *Interior's* plan: "For a Christian journal to advocate wholesale robbery, which inevitably would be accompanied with more or less bloodshed, and the possibility of which would attract all the ruffians in the west and stimulate them to their worst deeds, is as amazing as it is wrong."⁹

The Methodist, another religious organ, suggested the following as a solution:

"We could, if we had the courage and the purpose, check Mormonism, at its central seat, by the use of the simple and perfectly natural system of colonization. In that way, in point of fact, Kansas and Nebraska were made free states. The Christian church has the means and can lay its hands on the necessary agents. The work requires no high order of talent, no great statesmanship. The thing to do is to put Christian (or Gentile) voters into Utah, and the threatened adjacent territories, in such numbers as to just simply outvote the Mormons. We do not need to go abroad for the bulk of these voters; they can be found at home. Ten millions of dollars, wisely expended, would probably settle the Mormon question."

The *New York Herald* sometime before had suggested a plan very like this, so that it was not original with *The Methodist*.¹⁰

THE EDMUNDS BILL

In view of all the public agitation here described, and

9. Both articles are quoted in the *Deseret News*, weekly, of June 1st, 1881.

10. Both *The Methodist* and *Herald* plans are quoted in the *Deseret News*, weekly, of June 29, 1881.

expressing itself in demands upon congress for action, and for action that meant at bottom effective, physical force, and never once appealing to the moral forces of persuasion and reason, much less to the spiritual power supposed to be resident in religion, it is not a matter of astonishment that congress listened to the clamor and sought to satisfy it by the enactment of special legislation. This was done by the Edmunds bill, introduced into the senate as a report from the judiciary committee, by senator George F. Edmunds of Vermont,¹¹ on the 24th of January, 1882. The measure passed the senate on the 16th of February. Its opponents were senators chiefly from the southern states where the evils of carpetbag rule—which the Edmunds bill proposed within certain limitations to inflict upon Utah—had been felt during the reconstruction period following the war between the states. But their arguments, able and even brilliant as some of them were, availed nothing; the bill passed by a substantial majority.

OPPOSITION IN THE SENATE

The only northern senator who took part in the debate against the Edmunds bill was George H. Pendleton (Democrat) from Ohio, afterwards United States Minister to Germany under Cleveland's first administration—1885-1888. The other senators who took part in the debate against the bill were Senators George G. Vest, of Missouri; John T. Morgan, of Alabama; Wilkinson Call, of Florida; Joseph E. Brown, of Georgia; Lucius Q. C. Lamar, of Mississippi; Senator Lamar, who afterwards became secretary of the interior in Cleveland's first administration, 1885-1888, and associate justice of the supreme court of the United States after that—was ill at the time of the senate debate, but rose from his sick bed and went to the senate chamber to register

11. Edmunds was a Republican senator from Vermont, 1866-1891. He was also a member of the electoral commission that settled the Hayes-Tilden presidential contest of 1877; and was acting vice president of the United States, 1883-5.

his protest against the proposed legislation, which he did in the following passage:

"*Mr. President*, I am not only opposed to the provisions which have already been discussed so ably by gentlemen, but to the policy of the legislation which the committee propose. In my opinion, sir, it is a cruel measure, and will inflict unspeakable sufferings upon large masses, many of whom are the innocent victims of a system. I do not think that the bill has been sufficiently considered in view of the importance of its provisions. With this simple declaration I shall not detain the senate longer."

The debate occurred on the 15th and 16th of February, 1882.¹²

The senate Edmunds bill came up for consideration in the house on the 13th of March. The member in charge of it—Mr. Haskell, of Kansas, and his supporters, refused to have it referred to the house committee of the whole, and railroaded it through the regular sessions of the 13th and 14th of March, without allowing any amendments, or discussion of it worthy of the name. It was passed on the 14th by a vote of 199 yeas, 42 nays, 51 not voting.

ANALYSIS OF THE EDMUNDS LAW

The Edmunds law was an amendment to the anti-bigamy law of 1862. It defined polygamy as a crime—every person who has a husband or wife living—who hereafter marries another, whether married or single, and any man who simultaneously, or on the same day, marries more than one woman * * * is guilty of polygamy. The penalty was the same as the law of 1862, \$500 fine or five years imprisonment, or both in the discretion of the court.

It defined polygamous living as "unlawful cohabitation," making it a misdemeanor, and punishable by a fine not to exceed \$300, and by imprisonment not to exceed six months, or by both fine and imprisonment at the discretion of the court. The offense might be joined with prosecutions for both polygamy and unlawful cohabitation.

12. See *Congressional Record* for those dates.

It excluded from jury service those who had been living in the practice of bigamy or polygamy or unlawful cohabitation, and made it sufficient cause of challenge to any juror who *believed* it right for any man to have more than one living and undivorced wife at the same time, or to live in the practice of cohabiting with more than one woman.

Section nine declared all registration and election offices vacant, and until other provisions should be made by the legislative assembly, the duties of said registration and election officers were to be performed by a board of five commissioners appointed by the president with the advice and consent of the senate, not more than three of whom were to be of one political party.

The issue of polygamous marriages—if said marriages had been solemnized according to the ceremonies of the “Mormon” church—born before the 1st of January, 1883, were legitimated; and the president of the United States was authorized to grant amnesty to those guilty before the passage of this act on such conditions and under such limitation as he might think proper; but said amnesty would not be effective unless said conditions were complied with.

EFFECT ON RIGHT OF TRIAL BY JURY—JUDGE BLACK

That the law violated the right of trial by jury as commonly understood; and the American principle of local self-government, the latter by setting aside the territorial registration and election officers and giving power to a returning board to appoint such officers, and to otherwise conduct the territorial elections—admits of no question, nor reasonable defense.

Judge Jeremiah S. Black, commenting on this “trial by jury” feature of the Edmunds law in his speech on “Federal Jurisdiction in the Territories,” said:

“Trial by jury means by a jury of the country, the peers of the party, selected impartially from the general population, so as to represent a fair average of the public understanding and moral sense. That is the

kind of jury that every man is entitled to have who pleads not guilty, and puts himself on God and the country for trial. That is the meaning of the word 'jury' as used in the decrees of Alfred, the statutes of Edward the Confessor, Magna Charta, the Petition of Rights, the Bill of Rights, and the American Constitution. In that sense it is used by all English-speaking peoples, and with that sense attached to it the institution has been adopted by other nations. The right of trial by jury is withheld by the Edmunds law, or given in a mutilated form, which makes it hardly better than a military commission, 'organized to convict.' * * * A juror may be questioned on his oath whether 'he believes it right for a man to have more than one living and undivorced wife at the same time or to live in the practice of cohabiting with more than one woman.' If he refuses to answer, or answers in the affirmative, he is conclusively presumed to be one of the people, and must be rejected; but if he replies 'No,' he has spoken the watchword of the inimical faction, and he is admitted, because his ascertained hostility to the party accused and all his class may be relied upon as an element of his verdict."¹³

EFFECT OF THE EDMUNDS LAW UPON THE CANNON-CAMPBELL CASE

Undoubtedly the unseemly haste with which this measure was rushed through the senate and the house, and especially in the house, was to make its section eight—making it unlawful for a polygamist or any person cohabiting with more than one woman to hold any office or place of public trust in any territory or under the United States—applicable to the case of Hon. George Q. Cannon, then pending in the house; for at the time of its passage on the 14th of March, and when signed by President Arthur on the 22nd of the same month, the Cannon-Campbell contest had not yet been settled, nor was it decided until after the Edmunds bill became a law. When the contest case came up for a consideration a number of the representatives confessed that the passage of the Edmunds law had materially affected their attitude in respect of the Utah delegate's contest. That whereas before the enactment of the Edmunds law they had favored the seating of Mr. Cannon, they now could not consent to vote for him.

13. Pamphlet, 1883, pp. 21-22. The speech is in *Church Collection of Pamphlets*, vol. lxxvi.

THE HOUSE DECISION IN THE CANNON-CAMPBELL CASE

The final act in the Utah contest case came up on the report of the house committee on elections on the 18th and 19th of April, 1882. The committee submitted three resolutions to the house as follows:

“Resolved—That Allen G. Campbell is not entitled to a seat in this congress as delegate from the territory of Utah.

Resolved—That George Q. Cannon is not entitled to a seat in this congress as delegate from the territory of Utah.

Resolved—That the seat of delegate from that territory be and is hereby declared vacant.”

To these resolutions an amendment was offered by Mr. Moulton, of Illinois, as follows:

“Resolved—That George Q. Cannon was duly elected and returned as delegate from the territory of Utah, and is entitled to a seat as delegate in the 47th congress.”

The debate during the two days, 18th and 19th of April, covered a wide range respecting the powers of the general government and right of the people of the territories; much of it was bitter and personal. In the midst of it all, however, the delegate from Utah had a number of strong friends who ably defended his rights.

Among these were Mr. Davis, of Missouri; Mr. House, of Tennessee, who made an exceptionally able speech; Mr. Jones of Texas; Mr. Bragg of Wisconsin; and Mr. Moulton of Illinois. In the course of his speech Mr. House at one point put the whole case for Mr. Cannon in the following terse manner, that exhibits the brutally arbitrary spirit in which the house was acting:

“Their right [i. e. of the people of Utah] to elect is fixed by law by which the seat of their delegate when elected is assured to him, yet after the people exercising this lawful right, and in strict compliance with the statute, have gone to the trouble and expense of electing a man possessing all the qualifications which the Constitution prescribes for a member of the house of representatives, yet, when he arrives in Washington, presents his credentials, and asks to be allowed to take his seat, he is told, ‘We know the law gives your territory the right to be repre-

sented by a delegate; we know you were duly and legally elected to that position; we admit that you possess all the qualifications that the Constitution requires a member of the lower house of congress to possess, yet you do not suit our taste, or caprice, or the standard which we have erected outside the law, and therefore we have concluded not to admit you. We claim the right to arbitrarily exclude you. We have, therefore, Mr. Delegate, proposed for the adoption of this house the following resolutions:

Resolved, That George Q. Cannon is not entitled to a seat in this congress as a delegate from the territory of Utah.

Resolved, That the seat of delegate from the territory of Utah be, and the same hereby is, declared to be vacant.

Go tell your people that the 47th congress is capable of taking that position, and—

If any fool should ask thee,
Why we wear the crown;
Tell him we wear the crown
Because—it fits our head'."

The leaders of the debate for the majority report of the committee were Mr. Calkins of Indiana, who had charge of the resolutions and the debate for the majority; Mr. Hazleton, of Wisconsin; Mr. Jacobs of New York; Mr. Pettibone, of Tennessee, Mr. Hoar of Michigan, Mr. Miller of Pennsylvania. Mr. Thompson, of Iowa, was the one member who spoke in favor of Mr. Campbell's claims—his was a "lonely position."

Toward the close of the debate Mr. Cannon, by unanimous consent was given the opportunity to address the house for one hour.

It was a remarkable privilege that was granted to Mr. Cannon. It should be remembered that he had not been allowed to be sworn in as the delegate from Utah, nor in any sense to take his seat. He won the unusual privilege, doubtless because he sprung his request at the last moment of the debate, when the previous question was about to be moved, after which Mr. Calkins in charge of the election committee's report, was by previous arrangement, to be granted an hour in which to close the debate. The request came in the way of a surprise. It speaks well for the sense of fair play on the

part of the house that it was granted. It is a remarkable evidence also of the esteem in which Mr. Cannon was held in the house that such a privilege should be accorded to him.

When Mr. Cannon arose, every member was in his seat, and the galleries were crowded. There was substituted for the noisy confusion of the previous debate a silence that was painful. He is described by an eye witness as being very pale when he began to speak, nor is it matter of wonder that he was. For many months he and his people had been the object of fierce attacks from the press and the pulpit of the entire country, and for two days in the house of representatives a bitter assault had been made upon him and his constitutional rights by men of trained minds, and of keen, forensic skill, zealous to meet the demands of their respective constituencies and the requirements, it must be admitted, of public opinion throughout the United States. And now there was one voice to be heard against the tumult of millions. And the pathos of it all lay in the fact that it would avail nothing beyond being a protest against injustice. Mr. Cannon stood as some noble stag of the forest whom horns and hounds had pursued and brought to bay. The fight, as a spectator would think, would be a noble one, worthy of the monarch of his race, but the end is known—the stag will succumb to the dogs and the huntsmen. And so with the gallant gentleman from Utah, he would be overwhelmed by weight of numbers, no matter how excellent his defense, or howsoever righteous his cause.

“As I have not prepared any written remarks,” said Mr. Cannon in the opening sentence of his speech, “I will feel greatly obliged to members if they will allow me to proceed with what I have to say without interruption.” “I would feel ashamed, Mr. Speaker,” he said a moment later, “if I could get the opportunity that has been afforded me now, to go back—should the house vote that this seat is vacant—to my constituents without saying something in reply to the

many charges which have been made against them by various speakers during this debate."

The next word placed him on magnificent fighting ground:

"I am comforted Mr. Speaker, by one reflection: That Christianity which has been so much vaunted upon this floor, and which has been held up in contradistinction to that system which many of my constituents believe in, was itself a persecuted sect, and its founder was crucified between two thieves. And from that day until the present every man who has ever stood among his fellow men to declare principles which came in conflict with popular ideas has, in almost every instance, had to lay down his life as a proof of the sincerity of his convictions concerning that which he has taught. There has been no end of false statements made on this floor concerning the people with which I am connected. But while this flood of false statements has been pouring over the country, concerning the people of Utah, scarcely a voice has been heard in their defense. Those who attempted to say something favorable concerning them in the first discussion which took place upon the Utah case were sneered at and were derided and laughed almost out of the arena, to prevent them from saying a word respecting the morality, industry, the good order, or other good qualities the people of Utah possess."

Then followed an able review of Utah's history in congress, with a discussion of the contests that had taken place from first to last, including a refutation of many false charges made against the unloved people of Utah, and with which the reader of these pages is already acquainted. He also made a brief but able defense of the institution which constituted the head and front of "Mormon" offending, their marriage system; which, when the temper of the house of representatives and of the country at large is taken into account, was a bold thing to do, and one that required high, moral courage. At one point he referred very feelingly to the undesirable position he had himself occupied in coming to congress:

"You know gentlemen, the position I have occupied here now for nine years, is one which no one capable of filling the place would desire to occupy. It is not pleasant to be made a target for every man who wishes to gain credit for his morality to aim his arrows at. In coming here, however, I have been sustained by the consciousness that I

was at a post of duty where it was necessary for some one to represent the people, and that I had the solid support of my constituents.”

In conclusion he said:

“I am a resident of Utah territory and one of those people who are everywhere, spoken against, and against whom many vile charges are made, as were made against their predecessors, the church of Christ in the early days, and as Jesus predicted would be the case; yet I do respect my oath, and I pity any gentleman, who, with nothing to sustain him but popular sentiment, is willing to trample upon the Constitution and the law and to strike down a people against whom popular sentiment is strong.”¹⁴

The speech occupied a little more than an hour. “Taken as a whole,” wrote one who listened to it from the galleries, “the speech was delivered with great power, and several members, as they listened to the eloquent and pathetic appeals of the honorable gentleman, were moved to tears.”¹⁵

After the speech of Mr. Cannon one hour remained for closing the debate by members supporting the majority report of the house committee on elections. It was occupied chiefly by Mr. Cassidy of Nevada, and Mr. Calkins, chairman of said committee. The vote was then taken on the resolution offered by Mr. Moulton, of Illinois, to seat Mr. Cannon, which was lost by a vote of 79 yeas, to 123 nays, 89 not voting. The vote was then taken on the resolutions declaring that neither Mr. Cannon nor Mr. Campbell was entitled to a seat in congress as delegate from Utah, and declaring the seat vacant. The resolutions were agreed to without the yeas and nays being taken; and the curtain was rung down on one of the most spectacular contest cases in the history of the American congress.

14. *Congressional Record* of 19th April, 1882, p. 3045, *et seq.*

15. Letter of John R. Irvine, under date of April 21st, 1882, published in *Millennial Star*, vol. xliv, pp. 330-334.

CHAPTER CLVI

AMERICAN PRINCIPLE OF HOME RULE ASSAILED—PEOPLE'S PARTY —LIBERAL PARTY—CHURCH AND ANTI-CHURCH POLITICS

JOHN T. CAINE was elected to succeed Mr. Cannon as delegate to congress from Utah, as well for the unexpired term in the 47th congress, as for the full term in the 48th; and so through successive terms up to and including the 52nd, which closed in March, 1893.¹

THE PEOPLE'S PARTY CONVENTION

Mr. Caine was nominated at a territorial convention of the People's party—the political organization through which the Latter-day Saints waged their contest for their civil and political rights against their persistent and relentless assailants. This convention met on the 11th of October and continued until the 13th, 1882. Judge R. K. Williams, of Ogden, was made temporary chairman, and in the speech he delivered stated that the present convention was different in character from other conventions that had preceded it, in that they "had been more of a theological than of a political character."² This idea was corrected by Mr. Charles W. Penrose on the second day of the convention. Mr. Penrose had been a member of several People's party conventions previous to this one, and by reading was familiar with the character of the conventions since the first ever held in Utah; "and," said the speaker, "there was nothing of a theological nature in their organization, business, or objects. They were political conventions for political purposes. They were precisely of the same character as the present convention." "The chairman," he explained, "had not long resided in the territory, and may have been misled on this subject by incorrect reports."

1. Honorable John T. Caine was a native of the Isle of Man, where in the parish of Kirk Patrick, he was born, January 8th, 1829.

2. See first day of the convention proceedings *Deseret News*, weekly, Oct. 11th, 1882.

No exceptions were taken by the convention to the statements of Mr. Penrose, and he undoubtedly voiced the sentiments of all the delegates.

Since the convention was desirous of nominating a candidate for the unexpired term of Mr. Cannon, a committee was appointed from the convention to ask Governor Murray to call a special election for that purpose. But the governor declined on the ground that there was no law authorizing him to call such an election. The convention, however, nominated Mr. Caine to fill the unexpired term of the 47th, as well as for delegate to the 48th congress.

RECOGNITION OF MR. CANNON'S CONGRESSIONAL SERVICES

The convention did not forget the faithful labors of Mr. Cannon, the former delegate; a resolution expressing appreciation of his services in congress, of his high character, and condemning the action of congress in excluding him from his seat was introduced by Mr. Penrose, and unanimously adopted.

Several things had occurred in the recent agitation of Utah affairs throughout the United States, that called for some word of protest and rebuke from the representatives of the people—the congressional legislation, the administration of the Edmunds Commission,—which arrived in Utah on the 18th of August, 1882, and immediately began preparations for conducting the November elections—and in the administrative acts of Governor Murray, hence this resolution. Hence also this convention afforded the official opportunity for making that protest and administering that rebuke through its platform declarations. Those declarations, therefore, are an authoritative utterance upon many of the subjects pertaining to Utah and her people—chiefly consisting of the Latter-day Saints—that had been agitated before the country for the past several years, and for that reason said platform is of unusual importance.

The platform represented that the People's party was struggling for constitutional law and "*the sacred privilege*"—I wish they had said *right*, I am sure they meant it—"of local self-government."

On the subject of government itself the platform declared—"that the protection of life, liberty and the pursuit of happiness is the object of free government; * * * that free government can only exist where the people governed participate in the administration thereof."

THE "GENTILE" OR "LIBERAL" PARTY

Relative to the party in the territory opposed to the People's party, the "Gentile" or "Liberal party"—which really stood for the subversion of administration of the government by the people—the platform said: "Any party, or faction of a political community, that seeks to subvert the institutions of local self-government, aims a deadly thrust at the Constitution, and such party or faction is unworthy the suffrages of a free people." In reference to the action of Governor Murray in seeking to annul the expressed will of the people, in the delegate certificate matter, the platform said: "Any official who attempts to stifle the popular voice as expressed at the ballot box is guilty of treason against the sovereign people."

Relative to the proposition—much discussed at the time through the American press, and especially advocated by political and other adventurers in Utah—that a legislative commission be appointed to enact laws, and with the governor and federal appointed judiciary administer them, the platform said:

"The right to frame laws suited to the requirements of the territory having been vested by congress in the legislature elected by its citizens; to deprive them of that right by substituting a commission, arbitrarily appointed, and thus to disfranchise a hundred and fifty thousand people and reduce them to a condition of serfdom, would be unprecedented in the history of the nation—an act that could not be justified by any actual necessity, and that the attempt by a pretended political

party to create such a revolution in the government of this territory is worthy only of conspirators and political adventurers."

The complaints made against the Latter-day Saints for contesting the constitutionality of recent congressional legislation, and especially for refusing to accept the administrative *dictum* of Governor Eli H. Murray in the matter of interpreting and administering the recently passed Edmunds law—in the matter of appointing local officers, to be more fully considered later—was dealt with in this paragraph:

"We believe in the right of the people of a territory as well as of a state to test in the courts, established by the government, the constitutionality or construction of any enactment, local or congressional, and express our astonishment at the public declaration of a high federal official of this territory and the enunciation by a so-called political party that *the people have no rights except such as congress may grant to them*, and that to differ with the territorial executive about the construction of a statute, is nullification.

ATTACK UPON WOMAN SUFFRAGE IN UTAH

There had been an effort under the administration of the Edmunds law commission to have the territorial statute conferring the suffrage upon women declared illegal. This on the initiative of "certain non-'Mormon' citizens of high character;" first before the Utah Commission, and second before the courts. The commission heard the arguments patiently, and then unanimously decided against the motion to refuse registration to the women entitled to vote in Utah. "The courts of Utah were then appealed to," says A. B. Carlton, member of the commission. "They decided the law to be valid and the judges were abused and criticized."³ With reference to this assault upon the statute of the territory conferring the right of suffrage upon women the People's party platform said:

"For twelve years the women citizens of Utah have enjoyed the right to vote at all elections in this territory and have exercised it with credit to themselves and to the benefit of the community, and the people's party hereby denounces the attempts which have been made to

3. *Wonderland of the Wild West*, p. 51.

deprive women voters of the right of suffrage, as an illiberal and unmanly assault upon vested rights and upon justice, equality and the principle of popular sovereignty."

In order to give recognition to the right of women to participate in political activities, Mrs. Emmeline B. Wells and Mrs. M. I. Horne were elected members of the territorial committee of the People's party.

FOR ECONOMICAL ADMINISTRATION OF GOVERNMENT

Other striking items of the platform were the pronouncement in favor of "honest and economized administration in government." The platform "pointed with pride" to the record of economy and honesty in the public administration of affairs "by officers elected from the ranks of the People's party;" and also to the fact that the taxes in Utah were "lighter than (in) any other territory." "The territory is out of debt," the platform could boast, "the counties with one or two exceptions are in the same satisfactory condition."

OF LAWLESSNESS

The platform repudiated the charges of lawlessness which had been made against the people of Utah (and therefore against the Latter-day Saints), and as proof that those slanders were without foundation an appeal was made to the records of the courts, and the "chief courts were not in any way in the control of the people." "And which," continued the plank on this subject, demonstrate the startling fact that the so-called "'Liberal' class, constituting less than twenty percent of the population of the territory, *furnishes over eighty percent of the criminals!*" To this statement of the platform is added one even stronger, to the same effect, by one of the members of the Utah Commission created by the Edmunds law, A. B. Carlton, who in the text of his book says: "I was not long in discovering that one was as safe in Salt Lake City by day or night as in any other city of the United States;" to which he adds this footnote in comment.

"Later I ascertained that if a man should be sand-bagged, robbed, or have his house burglarized, the chances were ten to one that the perpetrator would be an 'outsider' and not a 'Mormon.' It is a fact, shown by statistics, that while only about one-fifth of the population of Utah are Gentiles they contribute at least four-fifths of the crimes of a heinous character. The same proportion will hold good as to misdemeanors—excepting, of course, polygamy and unlawful cohabitation."⁴

DENIAL OF SUNDRY CHARGES: STATEHOOD

It was denied that the church (i. e. the Church of the Latter-day Saints) dominated the state; that priestly control infringed upon the freedom of the individual; that perjury or falsehood was justified; that intolerance was exhibited either for the discouragement of immigration, or the settlement on the public domain, or that there was invasion of the rights of any individual; that unequal taxation was encouraged or permitted; that public accountings are not given of the expenditure of public money; that the tenets of a church are taught in the district schools; that the people are influenced to disloyalty or antagonism to the government. *Per contra* the platform affirmed it to be "the duty of every American citizen to render obedience to the Constitution of the United States, and every law enacted in pursuance thereof." The concluding planks affirmed the "preparedness of the territory for self-government, by admission into the Union as a sovereign state," and pledged the party to maintain and defend constitutional principles.

THE LIBERAL PARTY CANDIDATE

Philip T. Van Zile was nominated by the Liberal party and ran on a platform which charged everything against the people of Utah which the People's party platform denied. It declared that there could be no fair and impartial government in Utah "while the Mormon church is permitted to

4. *Wonderland of the Wild West*, 1891, p. 54.

control the law-making power," and therefore favored the adoption of a commission form of government. Mr. Van Zile, in fact, sought to impress the audiences he addressed during the campaign with the idea that his election "meant statehood for Utah, while his defeat meant a legislative commission."⁵

THE CAMPAIGN OF 1882

After a very extended and earnest campaign, the election took place on the 7th of November, with the result that Mr. Caine received 23,639 votes; Van Zile, 4,884. Notwithstanding his overwhelming defeat at the polls, the defeated Liberal candidate protested before the commission against any votes being counted for Mr. Caine, because he had been voted for to fill the unexpired term of delegate from Utah in the 47th congress, as well as for the full term of the 48th congress; because the two ballots in the one envelope in such voting revealed for whom the ballot was cast, and thus violated the secret ballot law of the territory; and that said Caine was ineligible because within the meaning of the Edmunds law he was a polygamist—that is, a believer in the rightfulness of polygamy. All these objections were overruled by the commission. Next was presented to the board of canvassers appointed by the commission, a protest against their issuing a certificate of election to the successful candidate on the ground that the right to issue said certificate under the laws of Utah belonged to the governor, and that the Edmunds law had not annulled that right. This protest was unanimously overruled by the canvassing board, and the certificate of election given to Mr. Caine.⁶

On the convening of the second session of the 47th

5. An account of the Liberal party rally at Ogden, October 18, 1882, will be found in *Deseret News*, daily, of that date—*et passim*. Also of Oct. 31st, account of meeting at Tooele. An elaborate history of this notable campaign with the platforms of both parties in full, and a number of the speeches of leading participants in it will be found in Tullidge's *Quarterly Magazine*, for Jan., 1883, pp. 426-454.

6. See proceedings at length before the Commissioners and the Board of Canvassers, *Deseret News*, weekly, of Nov. 22nd, 1882, p. 696; and in Tullidge's *Quarterly Magazine*, Jan., 1883.

congress, Mr. Caine presented in a petition for admission to his seat the facts of his election to fill the unexpired term of the delegate from Utah in the 47th congress (to which he was elected by 15,490 votes);⁷ and soon afterwards, *viz.*, on the 17th of January, 1883, he was admitted to his seat, by the house voting to approve the unanimous report of the committee on elections that Mr. Caine was entitled to the same.⁸

PERSONNEL OF THE UTAH COMMISSION

The Utah Commission created by the Edmunds law of 1882, the members of which were appointed by President Arthur, on the 16th of June, 1882, was made up of men of fairly high character.⁹ All of them were, or had been, practicing lawyers, and two of them had been United States senators. The personnel of the commission was as follows: ex-Senator Alexander Ramsey, of Minnesota; ex-Senator Paddock, of Nebraska; George L. Godfrey, of Iowa; James R. Pettegrew, of Arkansas; and Ambrose B. Carlton, of Indiana.

On their arrival in Utah in August the commission found "a strong disposition with some non-Mormon citizens against preparing for the election of delegate to congress," but finding that by United States statutes the territory was entitled to representation in congress by a delegate, they proceeded with the election with the results above stated. Relative to the decisions of the commission in the matter of the women registering and voting; as also with their ruling with reference to the Van Zile protest against the votes cast for Hon. John T. Caine being counted, for the reasons already

7. *Congressional Record*, Dec. 4th, 1882, p. 14.

8. *Congressional Record*, of 17th of Jan., 1883, pp. 1298-9.

9. Judge Jeremiah S. Black assured the "Mormons" of Utah, as their counsel, that five gentlemen of higher character could hardly be found in the Union. "I assured my clients," he said, "that they might be relied upon to do the simple duty assigned them, of holding the elections honestly, fairly to all parties, and faithfully according to the laws of the territory." (Judge Black's communication to the secretary of the interior, 29th September, 1882, published in full in *Deseret News*, weekly, of Oct. 25th). Concerning their official actions, however, the judge had occasion later to speak with some severity.

stated—in all these matters the commission seemed to have acted fairly, though by their procedure they drew upon themselves the abuse of the anti-“Mormons” of the local community. In other respects, however, their actions indicated an unfairness towards the majority of the people of Utah—the Latter-day Saint population. In the matter of appointing registrars, for example, to enroll voters for the November election, eight were “Mormons,” seven Gentiles, nine Apostates. Yet according to the United States census of two years before, 1880, the “caste” population was as follows: “Mormons,” 120,283; “Gentiles,” 14,156; “Apostates,” 6,988; “Josephites,” (members of the “Reorganized Church”) 820; doubtful, 1,716. The allotment of the population by the commission for registration purposes was as follows: “To ‘Mormon’ registrars, 12,308; ‘Gentile,’ 63,543; ‘Apostate,’ 68,112.”¹⁰

THE ADMINISTRATION OF THE COMMISSION

More serious, however, was their administration of the Edmunds act with reference to the disfranchisement of a large number of people—between 12,000 and 14,000, according to one of the commissioners¹¹—by means of an expurgatory test oath which covered practically the period of their whole past lives. There is nothing in the Edmunds law itself which justified such procedure as this. Granting, for the sake of the argument, the jurisdiction of congress to pass the law inflicting the added punishment—noting in passing, however, that to add disfranchisement to the penalties already provided of fine and imprisonment for polygamous offenses,

10. *Millennial Star*, vol. xlv. *Utah News*, p. 639. “This is a specimen of American justice,” adds the English chronicler.

11. Judge A. B. Carlton. “As a result of the enforcement of provisions of the (Edmunds) law, between 12,000 and 14,000 polygamous Mormons were disfranchised. This includes men and women.” (Interview with Carlton at City of Washington, Dec. 10th, 1882, *Washington Republican*, copied into *Millennial Star*, vol. xlv, p. 71).

seems somewhat harsh and unusual,¹²—the question remains, “had they the right to inflict it for past offenses as for future offenses without legal conviction?” “If I had the voice of a thousand trumpets, I would answer *No* as loudly as I could,” said Judge Black in his communication to the secretary of the interior.

THE EXPURGATORY OATH

This in the first issue of their rules and later by circular, the commission expressly directed the registrars to go as far back as 1862,¹³ “and put the penalty of disfranchisement upon all who cannot stand the test, or will not subject themselves to it”—“catching them with a test oath which reached back like the terrible right hand of a gorilla.”

The part of the oath referred to ran as follows:

“And I do further solemnly swear (or affirm) that I am not a bigamist nor a polygamist; that I am not a violator of the laws of the United States prohibiting bigamy or polygamy; that I do not live or cohabit with more than one woman *in the marriage relation*, nor does any relation exist between me and any women which has been entered into or continued in violation of the said laws of the United States, prohibiting bigamy or polygamy, and, (if a woman) that I am not the wife of a polygamist, nor have I entered into any relation with any man in violation of the laws of the United States concerning polygamy or bigamy.

Subscribed and sworn before me this _____ day of _____, 1882.

Registration Officer,

Precinct.”¹⁴

Cases involving this rule, however, were taken to the

12. “Congress . . . held the opinion that fine and imprisonment were altogether too merciful, and therefore they super-added the penalty of entire and perpetual disfranchisement, perfect deprivation of all political rights, total disability to vote or hold any office whatever either in Utah or elsewhere, under the United States or under any territory, *which was civil death and infamy besides*. It is vain for the Utah people to complain of this as cruel and impolitic.” (Judge Black’s communication to the secretary of the interior. See *Deseret News*, weekly, of Oct. 25th, 1882).

13. The order of the commission on this point will be found in Commissioner Carlton’s *Wonderland of the Wild West*, pp. 103-4.

14. See Rules of the Commission with test oath accompanying them, *Deseret News*, weekly, of Aug. 30th, 1882; p. 500; and *Ibid* of Oct. 25th in Judge Black’s address, p. 638.

courts of Utah where the action of the commission was sustained, both in the district courts, and in the supreme court of the territory. The question was then appealed by the people to the supreme court of the United States where the Utah courts, respecting the power of the commission to prescribe such a test oath as contained in Rule II, here discussed, or "to prescribe any condition of registration or of voting,"—were reversed; and the acts of the commission in these respects were declared to be "null and void."¹⁵

THE SEIZURE OF TERRITORIAL OFFICES

In addition to the injustice above noted another abuse and injustice arose under what is known as the Hoar amendment to the Edmunds law. This was an attempt to seize all the territorial and county offices from territorial auditor and treasurer, to precinct justices of the peace and constables, hitherto elected by the people, of which attempt the following is a brief statement:

The territorial law provided for the election of all territorial and county, and precinct officers—including members of the territorial legislature—on the 8th day of August, biennially. The time of the election, interrupted by the Edmunds law, was the 8th of August, 1882. All the registration and election officers of every description were vacated by the ninth section of the Edmunds law; the commission provided for by the same section were not nominated by President Arthur until the 16th of June;¹⁶ they did not receive their commission until early in July; they held their first meeting in Chicago, on the 17th of that month, and did not arrive in Salt Lake City until the 19th of August, and of course no election for territorial and county officers could be provided for that year. The law required that the registration should take place in May, and be revised in the first

15. The Supreme Court decision was rendered at the October Term, 1884, *Jesse J. Murphy vs. Alexander Ramsey et al.* *U. S. Supreme Court Reports*, vol. xiv, pp. 47-58.

16. Commissioner Carlton, *Wonderland of the Wild West*, p. 47.

week in June; and none but registered voters, of course, could vote.¹⁷ Under this state of facts it was impossible that an election could be held in August of that year, since it could not be held by officers whom the people had previously chosen, but whom the Edmunds law had displaced, and the commission provided by the congressional act were not appointed in time to conduct the registration.

Under these circumstances the three federal judges in Utah, Messrs. Hunter, Emerson, and Twiss, joined in a letter to Senator Lapham of New York, calling the senate's attention to the fact that the August election for territorial and county officers, for reasons above given, would default; "that this failure to elect" was likely "to cause general disturbance and trouble. * * * We therefore ask that congress shall take such measures as will provide for legal successors to all the present incumbents of office whose successors would have been chosen at the August election, and thereby secure the continuance of good order, and the regular and undisputed support of organized government, which otherwise would be seriously jeopardized."

Upon this recommendation Senator Hoar, chairman of the senate judiciary committee, in the last days of the first session of the 47th congress, brought in an amendment to the sundry civil service bill authorizing the governor of Utah "to appoint officers in the said territory to fill vacancies which may be caused by failure to elect on the first Monday in August, 1882," in consequence of the provisions of the Edmunds law that displaced the registration and election officers. The appointed officers were to hold their offices until their successors were elected and qualified under the provisions of the Edmunds law.¹⁸ Senator Joseph E. Brown of Georgia, forced upon the measures the following amendment. "Pro-

17. See Utah election law of 1878; also letter of all the United States Utah Judges to Senator Lapham of New York, read in the senate, *Congressional Record* of Aug. 2nd, 1882.

18. See senate procedure in *Congressional Record* for August 2nd, 1882.

vided that the term of said officers shall in no case exceed eight months."¹⁹

When this senate amendment came up in the house, on the 4th of August, it was sent to the conference committee which reported it back on the 5th and announced that it had been withdrawn from disagreement; and Mr. Blackburn, of Kentucky, urged its passage. Mr. Converse of Ohio sought to have the measure so amended that it would not apply to any officers *who had not been guilty of polygamy, where, under the laws of the territory of Utah, they can hold their respective offices until their successors are elected and qualified.*"²⁰

The conference report, however, was not subject to amendment; but Mr. Converse managed to so introduce an amendment as to have it go into the *Congressional Record*.

Mr. Converse in the hearing he secured for his proposed amendment for entrance upon the *Congressional Record* insisted that the granting of this appointing power to the governor of Utah, placed "the treasury of that territory in the hands of a returning board." "By this provision," he further urged, "you have bound that territory hand and foot, and given it over to carpetbag governors and returning boards to rob, as the southern states have been robbed by the same class of officers within the last few years." When Mr. Blackburn spoke eulogistically of Governor Murray, as a Kentuckian known to him and highly esteemed, Mr. Converse answered, that if the gentleman from Kentucky (Mr. Blackburn) would "examine the files and papers in the office of the Bureau of Justice in this city (Washington), he will find an examination made by the last administration of Mr. Murray's proceedings as marshal of Kentucky, which I think would induce him to modify his opinion. He also said that Mr. Murray's recent action in the Campbell certificate matter,

19. *Ibid.*

20. *Ibid.* House proceedings 5th of August, 1882, p. 6981.

is not calculated to inspire confidence in either his judgment or his property. But without regard to him," concluded Mr. Converse, "such power ought never to be taken from the people and placed in the hands of any one man. Neither ought he to be subjected to any such temptation."

The matter referred to by Mr. Converse respecting an examination "made by the last administration" regarding Utah's governor, has reference to an examination before the committee on expenditures in the department of justice, of which Mr. W. M. Springer, of Illinois, was chairman. The charges against Murray were made by John D. White, representative in congress from the state of Kentucky, Henry Diven, an ex-deputy marshal of that state, and G. K. Chase. These charges were in substance "that Governor Murray, while United States marshal of the district of Kentucky, collected illegal fees and made illegal charges for guards and for the transportation of prisoners." The hearing had was not a very searching one. When it had reached a certain point of development it was "quashed," the committee refusing to proceed further, since it was claimed that after Justice Harlan of the supreme court of the United States, and Mr. John G. Carlisle, speaker of the house of representatives had testified to the general good character of Governor Murray, his vindication was evident. On the other hand it was held that the investigation was merely a "white-washing affair," and that the committee had refused to call quite a long list of witnesses submitted to the committee by Mr. White, both in his oral testimony and in a written communication. After the "investigation" was closed, Representative White, in order to show the inadequacy of it, introduced the subject in a speech on the floor of the house on the 18th of April, while the renomination and reappointment of Murray as governor of Utah was under consideration in the senate. The speech appears in the *Congressional Record*, of April 25th, 1884, and in the Appendix of the record of that congress. Mr. White published as an appendix to his speech, the testimony

taken before the Springer committee. If the Springer committee's "investigation" was a "white-washing affair" it was effective, since Murray was reappointed to the governorship of Utah, and on his return to Salt Lake City was given a hearty public welcome and banquet by the Utah "ringites."²¹

"OFFICE GRAB" PROCEDURE IN UTAH

It is very clear from these facts developed in the debate upon the Hoar amendment to the Edmunds bill, that it was not the intention of the legislators to vacate the territorial and county offices in Utah where the territorial law provided that present incumbents should hold over until their successors were elected and qualified,²² and as this was a general provision of the territorial law there were clearly no vacancies to fill—except in cases of death or resignation, or established—not assumed—cases of polygamy. "It is clear beyond possible doubt," said Judge Black, in his address to the secretary of the interior, "that the Hoar amendment did not bring the much coveted power within the grasp of the governor."²³ Yet in the face of all this, Governor Murray assumed that the Hoar amendment vacated all the territorial and county offices that would have been filled by the votes of the people had the August election been held,²⁴ and proceeded by proclamation to fill the same by his own appointees. By his first proclamation, 16th of September, he appointed one hundred and six such officers, including the territorial auditor of public accounts; in a second proclamation, 27th September, he appointed forty;²⁵ and in a third proclamation, Oct. 20th, he appointed twenty-eight,²⁶ making a total of one hundred and seventy-four. These

21. For account of which see *Deseret News*, weekly, of July 2nd and 23rd, also *Salt Lake Tribune*, of July 15th, 1884, and *Deseret News* and *Salt Lake Tribune* *passim* for 1884.

22. And as Judge Black remarked in his address to the secretary of the interior, "for that reason, and that alone it [the Hoar amendment] was not stricken out."

23. Address in *Deseret News*, weekly, of Oct. 25th, 1882, pp. 638-9.

24. Full list in *Deseret News*, weekly, of Sept. 20th, 1882.

25. *Ibid*, Oct. 4th, p. 591.

26. *Ibid* of Nov. 8th, p. 661.

appointments were nearly all made from the "Gentile" or from the "apostate Mormon" classes of the community. Only in rare cases, and these only when there was none from the other classes to be found at all suitable, was there variation from the rule.

A syndicate of law firms was formed to conduct the necessary litigation in the cases, to prepare the bond and oath of office for the appointees, and instruct them as to what steps would be necessary to take to be installed and who would also attend to the prosecution of such suits as might be deemed necessary to test the right of the appointees to the several offices. Each of the appointees was to send to this self-constituted committee of Salt Lake county appointees, who took this business in hand, \$15.00 to meet the expense thus incurred.²⁷

That the Utah "ring" stood in with the governor in this attempt at seizing the local government of the people through this wholesale and indiscriminate "grab" at the territorial and county offices, admits of no doubt.²⁸

The "office grab" of Governor Murray, *et al*, however, did not succeed. The officers elected by the people refused to vacate in favor of the governor's appointees. Test cases were taken into the courts upon which various decisions were rendered, chiefly in respect of procedure, and in the one case where a writ of mandate issued—the Richards-Kimball case, involving the office of probate judge of Weber county—an appeal was taken to the supreme court of the territory. This court's decision, rendered in February, 1883, was favorable to the governor's appointee, Mr. Kimball, but an appeal was taken to the supreme court of the United States. It was evi-

27. The self-constituted committee were U. J. Wenner, probate judge; William Nelson, county clerk; Edmund Wilkes, surveyor; Arthur Pratt, sheriff. The law firms syndicated were Marshal and Royle; Sutherland and McBride; Dickson and Varian; Williams and Young; and to these was added P. T. Van Zile, the United States district attorney. (See *Deseret News*, weekly, of Oct. 4th, 1882, p. 583. In same impression will be found the instructions of these lawyers as to procedure for the appointees to follow in filing bonds and applying for their offices).

28. Address of Judge Black to the secretary of the interior, copied into *Deseret News*, weekly, of Oct. 25th, 1882.

dent, however, that before the matter could be adjudicated by the tribunal, the eight months which marked the limit for which the governor's appointment would hold, would be passed, and therefore the case never reached the court of last resort; and the "office grab" passed into history as an abortive effort against the existence of local self-government in Utah. "The attempt," however, without the consummation of the deed, is sufficient in atrocity to "confound" the Utah conspirators against the American principle of home rule in Utah. The following August a regular election for territorial and county officers took place under the direction of the Utah Commission, and the local officers in question were elected by the people.²⁹

I shall offer no apology for dealing with the political matters of this chapter at such length and even though a number of the issues that arose in connection with them were settled adversely by decisions of the supreme court of the United States against those who launched attempts against the home rule principle of the American system; and which ordinarily when so settled would be regarded as ended without further discussion; but here we are setting down the record of those crimes against the principle of "local self-government" which are the best concrete examples of the crime against those principles in American history. Also an example of the most unremitting attempts by one thing after another against the people, all having the one end in view, the breaking down of, and destroying the power and influence of the Church of Jesus Christ of Latter-day Saints, by striking down their rights as citizens of the territory and of the United States. These attempts that fail of realization, as well as those which

29. The official returns by counties will be found tabulated in *Deseret News*, weekly, of Oct. 10th, 1883, p. 606. The total vote cast was 21,969; of which the People's party cast 20,508; and the Liberal party 1,453. The vote in the previous November had been People's party 23,039 and the Liberal party 4,884, a falling off in the Liberal party's vote of 3,431; and of the People's party, a decrease of 2,531. The Utah Commission in their report to the secretary of the interior deplored the decrease in the Gentile vote, for the reason that it was believed that by proper effort and good management, one or more non-Mormons could have been elected to the legislature. (Commission Report, Oct. 30th, *Deseret News*, weekly, of Nov. 7th, 1883).

may be said to achieve success for the enemy, make up the story of the annoyances, and trials, and petty tyrannies and injustices to which the members of the church have been subjected, and hence proper subject matter for consideration in a comprehensive history of that church.

CHAPTER CLVII

LEGAL RESISTANCE BY THE PEOPLE TO ENCROACHMENTS UPON THEIR POLITICAL RIGHTS—AN EFFORT FOR STATEHOOD

IT must not be thought that the Latter-day Saints—then the very large majority of the people of Utah, and the people especially against whom all this federal legislation noted in the preceding chapter was leveled—were indifferent to their liberties or inactive in maintaining them. They made a brave resistance to the encroachment of the central power into the domain of local government. This, as we have already seen, through the efforts of their delegate to congress, Mr. Cannon, to maintain his place in the house of representatives; second by selecting a man from the same political party and of the same religious faith rather than an “alien” to the local community, a federal officeholder who sought the place under the plea—or more nearly the threat—that his election would mean statehood for Utah, while his defeat meant “a commission form of government.” Also by the Utah legislature memorializing congress in relation to Utah affairs, while the Edmunds bill was pending in the senate, and other drastic measures were before congress. “We do most earnestly memorialize congress,” said the legislative assembly, in their conjoint Memorial, “not to act hastily upon extreme measures, radical in intent, and which would be hurtful in the application; but to appoint a commission of honorable gentlemen to come to Utah, empowered to send for persons and papers, and otherwise authorized to fully investigate the affairs of the territory, the citizens thereof, and every matter bearing upon the question at issue.”¹

This was supplemented later by a more formal and

1. The Memorial complete signed by Francis Marion Lyman, speaker of the house, and Joseph F. Smith, president of the council, will be found in *Deseret News* weekly, of Feb. 22nd, 1882.

pretentious Memorial, making the same request, and drafted by a special, conjoint committee of the house and council, setting forth in detail the reasons why an investigating commission should be sent to Utah to inquire into the territory's affairs before radical measures should be enacted. The Memorial is an able state paper, giving a resume of the whole ground of controversy as to the "Mormon question" in Utah, from the pro-"Mormon" standpoint.

The conjoint committee which drafted the Memorial was made up of the following members: of the council, Erastus Snow, Daniel H. Wells, John T. Caine; of the house, Charles W. Penrose, Lorin Farr, John Jaques, Edward Partridge, Edward Dalton. Among the anti-"Mormon" charges refuted was one that the affairs of the territory were under the control of foreign-born citizens." "The present legislative assembly contains *twenty-seven American-born*, and but nine naturalized citizens," said the Memorial. Again, in respect to education:

"We are accused of being opposed to education. Statistics demonstrate the contrary. Territorial tax, equal to that from which the entire revenue of the territory is derived, is annually assessed, collected, and disbursed exclusively for payment of school teachers in district schools, open to the children of all citizens, irrespective of creed, color, or party; while in addition, a local option law permits a tax not 'exceeding two per cent for general school purposes, to be annually assessed in the district where the people so elect by popular vote.'"²

One thousand of the Memorials were ordered printed in pamphlet form, that copies might be sent to the president of the United States, to members of the cabinet, and to each member of congress, in both house and senate. No heed was paid to these Memorials by congress.

A counter Memorial was sent from a meeting of "prominent Gentiles" representing that the "Memorial" by the Utah legislature asking for the appointment of an "investigation commission" was merely a trick to gain time, and that should the petition be granted it would be claimed that it was a

2. *Ibid*, of March 8th, 1882.

"divine interposition in favor of polygamy," and used "to incite the masses of the Mormon people against the just authority of the national government." This Memorial bears date of 17th of February. It was published in the *New York Herald* of Feb. 18th, 1882. The *Deseret News* questioned its being sent out from a "meeting of prominent Gentiles." Evidently the meeting was not a public one.³

ANOTHER APPEAL FOR STATEHOOD

It was decided also by the legislature of 1882 to make another effort to obtain statehood for Utah as a means of escape from the repeated assaults upon the rights of the people to local self-government. "It is the right and the duty of the people of Utah," said the legislature, "to plead for and demand a republican form of government, so that they and their posterity may enjoy the blessings and liberties, to secure which the founders of this great nation lived, labored, and struggled, and died." Accordingly a resolution was passed authorizing the assembling of a convention on the 10th of April, 1882, consisting of double the number of the total representation of the respective counties to the territorial legislature—which would amount to seventy-two members for the convention.

The convention met at the time appointed, framed and unanimously adopted a Constitution, and submitted it to a vote of the people. The vote was taken on the 22nd of May. The Constitution was adopted by 27,814 votes, as against 498 in the negative.⁴ This in the face of the unlikelihood of obtaining a favorable consideration by congress was a remarkable vote.⁵ On the 6th of June the constitutional con-

3. *Deseret News*, weekly, issue of March 8th, 1882.

4. *Deseret News*, weekly, of June 14th, 1882. The returns of the voting on the Constitution are certified by the president of the council and the speaker of the house of the legislative assembly, whose action authorized the convention. (*Ibid*).

5. The Cannon-Campbell vote, 1880, for delegate to congress, had been but 18,567, and 1,357; and in 1882 the vote for delegate to congress was but 23,039 for Caine, and 4,884 for Van Zile; so that the interest of the people of Utah in the question of statehood, even under discouraging circumstances, was greater than in an election for delegate to congress.

vention reconvened, drew up a Memorial to congress and elected a committee to present the Constitution to that body.⁶ The matter of Utah's statehood, however, was not presented in congress until 23rd of February, 1883. On that day United States Senator Wilkinson Call, of Florida, presented in the senate the Memorial of the territorial convention, praying for the consideration of Utah's petition for statehood, asking also for the repeal of some sections of the Edmunds bill, and protesting against the injustice of other legislation then pending in congress. The Memorial was referred to the committee on territories and ordered printed in the record; but beyond this no favorable action was taken on the Petitions and Memorials of the people of Utah.

On the 11th of December, 1883, in the 48th congress, Mr. Caine, the delegate from Utah, presented a bill for the admission of Utah as a state, somewhat in pursuance of the action of the convention of 1882; but this measure received no consideration beyond reference to the committee on territories.⁷

POLITICAL CONFUSION—A WORD FROM THE FIRST PRESIDENCY

None of these efforts on the part of the people, as we already have seen, availed anything in preventing the passage of the Edmunds bill—it became law; and the only thing left for the Latter-day Saints to do was to adjust themselves to the changed conditions as best they could. To aid them in this the first presidency of the church addressed to them an epistle of instructions shortly after the arrival of the Utah Commission and the issuance by them of rules and instructions

6. The personnel of the committee was as follows: | Wm. H. Hooper, John T. Caine, James Sharp, Wm. W. Riter, F. S. Richards, D. H. Peery, H. D. Johnston. (*Deseret News*, weekly, of June 14th, 1882). Of this committee but four—Caine, Richards, Peery and Johnston, appeared at Washington to present the Memorial and Constitution. (See *Congressional Record*, 47th Congress, 2nd Session, p. 3149).

7. See *Congressional Record* of 11th of December, 1883.

to the registrars and judges of election they had appointed. The justification for sending forth this epistle rested upon the fact that the first presidency learned "from many quarters" that some of the church members were not clear in their minds as to the course they ought to take in respect of registering and voting. Some were reported to view the requirements of the law as the commission proposed to administer it as iniquitous; others had scruples about taking an oath which embodied all the odium of a religious test; and still others felt so indignant that they would "rather suffer the loss of citizenship [i. e. the elective franchise] than to seek to maintain it" by such methods as were proposed by the commission. Referring to this condition it was pointed out in the epistle that it was as a religious community that the Latter-day Saints were assailed, and it was the duty of those who under the law could do so, to defend the community by exercising the few political privileges left to them in the interest of the community.⁸

"IN THE MARRIAGE RELATION"

This counsel was heralded throughout the press of the United States as "Mormon opposition to the Edmunds law."⁹ The epistle also called attention to what the first presidency regarded as extra administrative action on the part of the commission in putting the law into operation. The law itself provided "that no polygamist, bigamist or any person *cohabiting with more than one woman*, and no woman cohabiting with any of the persons described as aforesaid in this section, * * * shall be entitled to vote at any election," etc. The commission in Rule II required the applicant for registration to swear—"I am not a violator of the laws of the United States prohibiting bigamy or polygamy; I do not live or cohabit with more than one woman, *in the*

8. *Address to the Members of the Church of the Latter-day Saints*. The pamphlet is now rare; a copy of the epistle will be found in *Deseret News*, weekly, of Sept. 6th, 1882.

9. See current press dispatches, in the latter part of August—the epistle bears date of Aug. 29th—and in the first several days of September.

marriage relation!" This phraseology, of course, confined the operation of the law strictly, as no doubt was the intention of congress, to those cohabiting in the polygamous relations sanctioned by the plural marriage system of the Church of the Latter-day Saints. "If proof were needed," said the epistle, "respecting the truth of our protestations and testimonies, that this is a part of our religion, and that the object of this law is not the eradication of immoral practices, but that it is intended as a direct blow at our religious faith and practice, we have it furnished in this oath prescribed by the commissioners. * * * It is with unmixed satisfaction we perceive that the oath draws the line so sharply and distinctly between marriage and licentiousness. By the attempt in the construction of this oath to shield from injury those who, by their illicit connections with the other sex might, under the provisions of the Edmunds law, be disfranchised, the Latter-day Saints, who, in all sincerity and honor have obeyed a revelation from God, are not reduced to their degraded level."¹⁰

CONTROVERSY OVER APPOINTMENT OF OFFICERS WITH GOVERNOR MURRAY

Among other unpleasant things of this period was the controversy between Governor Murray and the legislature during its session of 1882, on the appointment of certain territorial officers. The point at issue was as to whether the aforesaid officers were to be nominated by the governor, and by and with the advice and consent of the legislative council, appointed by him; or whether they were to be appointed or elected as the legislature had by previous enactments provided. Governor Murray took the first view, the legislature the second. The offices in question were two commissioners to locate university lands, territorial auditor, treasurer, superintendent of public schools, librarian, sealer of

10. *The Deseret News*, weekly, Sept. 6th, 1882.

weights and measures, recorder of marks and brands, surveyor general, chancellor of Deseret University, a board of twelve regents and a treasurer for the board. The governor submitted to the legislative council the nominations to fill all these offices, with a communication explaining on what grounds he claimed the right to make the nominations, and with the council's advise and consent, make the appointments. He cited the 7th section of the organic act of the territory which provided that "all township, district, and county offices, not herein otherwise provided for, shall be appointed or elected, as the case may be, in such manner as shall be provided by the governor and legislative assembly of the territory of Utah. The governor shall nominate, and, by and with the advice and consent of the legislative council, appoint all officers not herein otherwise provided for;" of which, the governor held, was the list of territorial officers above given. In answer to his contention the council by formal resolution replied that by former enactments of the legislature, the date of the enactments ranging from 1850 to 1878, these territorial officers had been made elective either by the legislative assembly or by the people, and under such election had continuously held office. That these laws had been submitted to congress and had never been disapproved by that body, and therefore were in full force and effect. That the several executives of the territory who had approved said acts, had by their approval waived and relinquished any right which they previously possessed to nominate these officers, and therefore resolved that "the complaint of his excellency"—*viz.*, that to elect or appoint the aforesaid officers in any other manner than that provided by the act of congress—the organic act—under an act of the legislative power was nullification—was groundless, and his nominations unnecessary.¹¹

11. See both the governor's communication and the answer of the legislature *in extenso* in *Deseret News*, weekly, of March 15th, 1882.

THE UNIVERSITY CONTROVERSY—GOVERNOR MURRAY *vs.* THE LEGISLATURE

This controversy led to another which threatened for a time to affect the development of higher education in Utah by preventing the completion of the University Building of the territory; and so far as Governor Murray was concerned that would have been the result of this controversy, but happily he was overruled by the patriotism of enterprising "Mormon" citizens. The account of the matter referred to follows. For some time the Deseret University—the institution of higher education referred to—had been very much retarded in its development by inadequate quarters for such an institution. It had occupied for several years the Old Council House on the corner of Main and South Temple streets, described in a previous chapter in this *History*; and later had been inadequately housed in a "weather-beaten structure formerly known as the 'Union Academy'."¹² The previous legislature—1880—had taken the needs of this institution into account. Salt Lake City generously granted "Union Square," a block of ten acres in the northern part of the city—1st North and 2nd West streets bounding its south and east sides—for a site,¹³ and the legislature had appropriated \$20,000 that was available towards the erection of buildings.¹⁴ Under these circumstances the foundation and basement story of a building was constructed on the site provided by the city—and the legislature of 1882, to complete the work, appropriated \$40,000 more, together with the sum of \$15,000 to provide for the tuition of eighty normal students to be prepared in the normal department of the University as teachers for the district schools. These appropriations Governor Murray vetoed, chiefly for the reason,

12. Whitney's *History of Utah*, vol. iii, p. 200.

13. The chancellor and board of regents declared it to be "The finest public square in the city." (*Annual Report*, 1884-5, p. 12). Now the site of one of Salt Lake's High Schools. The University is removed to the east "bench," a commanding site, and "Deseret University" has become "Utah University."

14. See item in general appropriation bill passed by the legislature of 1880, and approved by the governor on 20th of February. (*Deseret News* of March 10th, 1880).

as he claimed, that the University was not legally organized, the regents and chancellor not being named and appointed according to his interpretation of the provisions of section 7 of the organic law of the territory—that is, they were not nominated by him, and appointed by him with the advice and consent of the council of the legislature, and the council had refused to concede his right to make these and other nominations and appointments—hence his veto to these appropriations, hence this blocking of the development of higher education in Utah. “The unfinished building,” said the *Deseret News* editorial, “stopped in this untimely and captious manner, does not speak very loudly for the desire of the executive to promote the cause of education.”¹⁵

The other objections urged by the governor for vetoing these appropriations of the University were, first, that with the other appropriations this for the University went beyond the territorial revenue provided by the existing laws; and second, that appropriations for this purpose should contain a proviso that no doctrinal sectarian tenets should be taught in the University. Both these objections were captious, in that, first, the increasing revenue within the two years to follow promised to exceed all the appropriations of the legislature; and second, that the University was already recognized as a secular institution of the territory, supported out of public funds, and was not and could not be a denominational school, and hence what the governor contended for under this head was unnecessary.¹⁶ There is no doubt but that these objections would have been waived had the governor been permitted to have appointed the chancellor and board of regents together with the other territorial officers he claimed the right to nominate and appoint.

15. *Deseret News*, weekly, of March 22nd, 1882, p. 134. The Utah Commission took the same view of this subject as the governor did, and therefore did not include these territorial officers in the election of August 6th, 1883. (See signed communication by a committee, Carlton and Godfrey, of the Utah Commission, in *Deseret News*, weekly, of June 20th, 1883).

16. See editorial review of these subjects in *Deseret News*, weekly, of March 22nd, 1882.

While Governor Murray was giving this evidence that his determination to have his way in the matter of appointing territorial officers was dearer to him than the cause of higher education in Utah, certain prominent Latter-day Saint citizens, and the church of which they were members, stepped forward and removed the obstacle to the cause of education erected by the stubborn, self-willed policy of Governor Murray. At a meeting of the chancellor and the board of regents of the University, held on the 11th of May, 1883, a resolution was passed opening subscriptions for loans and voluntary contributions by which the officers of the University might be able to proceed with the University structure, until it was made ready to house the institution.

"In view of the facts," said the report that the school was suffering through the want of sufficient room to accommodate its students and to carry on its work of instruction, and that the unfinished building was in danger of waste and destruction through exposure and want of care, and that the entire grounds donated conditionally by the city, together with the work already done upon the building, were liable to forfeit, they (i. e. the aforesaid patriotic citizens and the church) determined to make an effort to raise means to relieve these unfortunate conditions. In this effort they were successful. By loans and voluntary contributions from citizens, a sufficient amount was raised to erect the entire walls and roof the building in, and even to prepare two rooms in it to accommodate a large class of students during the winter just passed.¹⁷

It was hoped that the legislature of 1884 would make appropriations that would reimburse these citizens and be sufficient to complete the building. So indeed the legislature did, appropriating \$50,000 for that purpose; but again the governor, not being permitted to appoint the chancellor and board of regents (which from February 28th, 1850, to the

17. *Deseret News*, weekly, of April 9th, 1884.

time of this controversy had been chosen by joint vote of both houses of the general assembly—a period of over thirty years),¹⁸ again interposed his veto, and thus again prevented the representatives of the people from appropriating the money of the people for housing an educational institution of the people—the only “high school” of the territory, at the time, in which normal students could be educated at public expense to serve as teachers in the public schools.¹⁹ What to Governor Murray did it matter if the cause of education in the territory languished; if the \$20,000 expended for foundation and basement story should be wasted, by not completing the structure; or, if the valuable bequest of “Union Square,” by Salt Lake City should be lost to the University through failure to fulfill the conditions specified in the bequest by the erection of suitable buildings for the institution within the time limits fixed in the bequest? What did all this impending waste of the people’s money, and the disappointment of their educational ambitions for the territory amount to in comparison with the importance of an autocratic governor appointed from Washington—an adventurer who had no interest in common with the people—having his way in the matter of appointing a score of territorial officers hitherto elected directly or indirectly by the people! Especially could the governor have patriotically waived the question of his right to appoint the chancellor and board of regents of the University until the question then pending in cases before the United States supreme court could be determined.²⁰

ACTION OF THE SUPREME COURT

The question of the right of the governor to make the appointment of territorial officers other than those of “township, district, and county officers” finally went to the courts.

18. See answer of legislature to Governor Murray, *Deseret News* of March 15th, 1882, p. 125.

19. See Memorial of the Territorial Legislature (the 26th) of 1884, published in *Millennial Star*, vol. xlv, Nos. 20, 21, p. 305, *et seq.*

20. *Ibid.*

The case was tried in the third district court (Salt Lake City) the People *vs.* Nephi W. Clayton, territorial auditor, and the People *vs.* James Jack, territorial treasurer. The court sustained the right of the governor to appoint these officers by and with the advice and consent of the legislative council. The case was appealed to the supreme court of the territory which affirmed the rightfulness of the district court's decision, June, 1886.²¹ An appeal was taken to the supreme court of the United States which affirmed the rightfulness of the decision of the territorial supreme court.²²

EXERCISE OF THE ARBITRARY VETO POWER OF THE GOVERNOR

Undoubtedly it was the intent of congress that the Edmunds law commission should be but a temporary returning board. It was provided in the law itself that the commission should only continue in office "until the legislative assembly of said territory shall make provisions for filling said offices"—i. e. "all the registration and election offices of every description in the territory;" whereupon these officers provided for by the law enacted by the said legislature, and elected or appointed as the law prescribed, should take charge of the registration and election affairs of the territory instead of the Edmunds law commission. This the Utah legislature of 1884 sought to bring to pass by the enactment of a general election law making the necessary provisions. But this act of the legislature was vetoed by the governor, and the Utah Commission, in consequence, was continued in office and the evident intention of congress with respect to the dispensing with that returning board was thwarted.

An effort to reapportion the legislative representation of the territory, met with even more contemptuous treatment at the hands of the autocratic governor. This measure was one recommended in the governor's message. The legislature promptly passed a bill conforming to his suggestions as they

21. *Utah Reports*, vol. iv, pp. 421-438.

22. Jan. 6th, 1890, *Supreme Court Reports*, vol. x, pp. 190-194.

supposed; but the bill was returned without his approval, with the statement that "the census of 1880 entitles every 12,000 of population to one representative in the council; and every 6,000 of population, to one representative in the house of representatives," and the governor added: "If the legislature will pass an act apportioning the territory into twelve council districts and twenty-four representative districts, as near as may be upon the foregoing basis, where each councilor and representative is to be voted for separately, I will be pleased to approve the same."²³

In conformity with this suggestion another bill was drawn and sent to the governor for his signature according to his promise. "But, he forfeited his pledged agreement, and treated the bill with the contempt of utter silence, neither approving or rejecting it." The following scathing comment on conditions prevailing in Utah—supposedly under the rule of republican institutions:

"Such is the dependent condition of the territory of Utah, that it does not need the absolute veto of the governor to render void an act passed by the people's elected representatives, but his neglect to sign it is more mighty than the combined labors of thirty-six legislators chosen by ballot to express the popular will. The object of this insulting treatment of the legislature was, without doubt, to leave the way open for the passage of a measure now before your honorable body, giving the governor alone the right to make the appointment of the representation."²⁴

The closing appeal of the Memorial was eloquent, though a bit too humble for outraged Americans—rightful heirs to the liberties of their patriotic fathers.

"We appeal to you not to condemn us unheard: not to take from us the few political privileges that distinguish us from conquered slaves; not to deliver our fair and flourishing territory into the hands of men irresponsible to the people; not to reverse for us the established rules of civilized jurisprudence; not to disfranchise the innocent for the alleged offenses of the presumably guilty; not to encroach upon our rights of property; not to apply to us a religious test for political purposes, nor to pass any such rash and revolutionary measures as have been proposed,

23. *Millennial Star*, vol. xlv, p. 311.

24. *Ibid.*, p. 321.

but to postpone any further action towards Utah until a committee of your own number, or other disinterested persons appointed specially for the purpose, shall have impartially investigated the whole subject of the situation in Utah, and have reported to your honorable body, so that you may act with a fair understanding of all sides of these important questions and your memorialists will ever pray."

The request for a congressional investigating committee was once more an appeal made in vain—none was appointed.

CHAPTER CLVIII

SPECIAL PERIOD OF ANTI-"MORMON" MISREPRESENTATION—THE TENNESSEE MASSACRE

THE period 1880-1884, beyond all others preceding it, was the period of misrepresentation of the Latter-day Saints and conditions in Utah. This misrepresentation was persistent and systematic. It was the period when sectarian churches in Utah were being sustained by contributions from the eastern states. It naturally followed that the more awful conditions could be made to appear in Utah the more generous were the contributions. The sectarian ministers of the period did not fail to see their opportunity, nor did they hesitate to use it. It was a time when politicians appointed from Washington to fill federal offices in Utah—chiefly as a reward for political services to party—were making a mighty effort to get complete political control of the territory, and of the treasury of the people by securing either the adoption of a legislative commission form of government for the territory, or the extension of the appointing power of the governor. Under these general conditions, and with the knowledge of human nature assumed, it requires no effort of mind to understand how great the temptation to misrepresent the Latter-day Saints would be; especially when the universal prejudice existing against them and their religious faith made it so easy an achievement; and so far was it from meeting with rebuke, that it was quite generally rewarded with applause.

LITERATURE OF THE PERIOD *Pro et Con*

It was this period—1882-1884—that produced a great mass of *pro et con* "Mormon" literature—chiefly periodical, but some books. It produced the *Hand-Book on Mormonism*, a compilation by J. M. Coyner, of anti-"Mormon" utter-

ances dealing with many phases of the alleged faith, motives, and objects of the "Mormon" church, including a so-called expose' of their sacred "temple mysteries."¹ Later—1886—but growing out of this period now considered—came *The Mormon Problem*, by Rev. C. P. Lyford;² and *Mormon Portraits*, by Dr. W. Wyl, of the *Berliner Tageblatt*, the awfullest book published on "Mormonism" since John C. Bennett's alleged expose', in his *History of the Saints*, 1842. It was in this period—1882-3—that Phil Robinson, war correspondent of the *London Daily Telegraph* in the first African Boer War, but in his visit to Utah special correspondent of the *New York World*—called the attention of the country to the fact of the "utter unreliability of anti-Mormon literature," and to the fact that practically there was no other source of information; since, from his viewpoint, "the Mormons themselves" were "most foolishly negligent of the power of the press, and of the immense value of informing public opinion by a free use of type."³

There was, however, occasional opportunity afforded for contradiction of the misrepresentations made of Utah affairs. Mr. George Q. Cannon, Utah's ex-delegate to congress, for instance, in the *North American Review* of May, 1881, was given space for a reply to Mr. C. C. Goodwin, editor of the *Salt Lake Tribune*, who had written in the March number of the same magazine, on the "Political Attitude of the Mormons." Elder Moses Thatcher, of the council of the twelve apostles, was given space in the *Chicago*

1. It is as vile a concoction of misrepresentation, denunciation and crediting of false motives and purposes to the objects of its assault—the Church of the Latter-day Saints—as was ever crowded into one hundred pages of printed matter. "I call it a production of diabolism," said Elder John Nicholson, associate editor of the *Deseret News*, in his lecture on the Tennessee Massacre, (pp. 15-16), "for it is filled with lies and misrepresentations against the Mormon people and their religion from beginning to end." (See also the context).

2. Lyford was also the author of brochures on "Tithing," "The Priesthood," "Brigham Young's Record of Blood," etc., etc.

3. Mr. Robinson did not know, as the "Mormon" leaders and people did know, how extremely difficult it was for them or their friends to obtain a hearing through the press of the country. Mr. Robinson's letters to the *New York World* were finally put into book form under the title *Sinners and Saints*, Roberts Brothers, Boston, 1883.

Inter-Ocean, of November 23rd, 1882, for an effective answer to United States district attorney Van Zile, of Utah, who had written a violent attack upon the "Mormons" in the *Inter-Ocean* of the 19th of October.⁴ A like courtesy was extended to Elder Thatcher a little more than a year later.

GOVERNOR MURRAY'S MESSAGE TO THE UTAH LEGISLATURE OF 1884

The message of Governor Eli H. Murray had been delivered to the Utah legislature on the 14th of January, 1884, and had caused very widespread and usually unfriendly comment on the status of affairs in Utah. To effect this result was doubtless the aim of the message. Among leading journals making such unfriendly comments, and referring to the message as an "important state paper," was the *Chicago Inter-Ocean*, and to this journal Elder Thatcher directed his "Review of the Governor's Message."⁵ To this article Judge J. R. McBride replied in the *Inter-Ocean* of 16th of February, championing the cause of Utah's governor, by a defense of his message and a defense of the whole anti-"Mormon" attitude toward Latter-day Saint affairs, to which Mr. Thatcher made rejoinder in the *Inter-Ocean* of the 16th of March,⁶ as aforesaid.

In addition to these opportunities, President John Taylor was given equal space with Governor Murray in the January, 1884, number of the *North American Review*, on the subject of "Ecclesiastical Control in Utah." Also, be it said to the credit of the press of the United States, a few of the great, and the near great, daily papers of the country, of themselves made protest against the severe and un-American

4. The editors in their caption of Mr. Thatcher's article refer to it as "A clever plea for the Saint-hood," and "an able and ingenious defense." It will be found complete in the *Deseret News*, weekly, of Dec. 6th, 1882. Both Van Zile's letter and the Thatcher answer will be found in *L. D. S. Pamphlets*, Historian's Office, vol. iv, p. 749, et seq.

5. The editorial comments of the *Inter-Ocean* appear in the impression of the 17th of January. Elder Thatcher's reply was dated at Washington, D. C., 28th of January, and appeared in the *Inter-Ocean* on the 13th of February. (See *Deseret News*, weekly, of March 26th, 1884).

6. Both articles will be found in *Deseret News*, weekly, of April 2nd, 1884.

measures proposed to congress for the destruction of what was vaguely called "Mormonism."

Among these was the *New York World*, which steadfastly opposed the passage even of the Edmunds bill, of 1882; and more strongly opposed subsequent bills more flagrantly violative of the constitutional principles of American government.⁷

In congress Utah was not without friends, either, as witness the opposition to the Edmunds bill of 1882 in both senate and house, already noted;⁸ and in the discussion of the Cullom and Hoar bills in the senate—1883-4—proposing a legislative commission for Utah.

This misrepresentation of the Church of the Latter-day Saints during this period—misrepresentation of its motives and its purposes—culminated in what is known in the annals of the times as the "Tennessee Massacre," directly traceable to an alleged address by a "Mormon" bishop by the name of "West," in Juab, Juab county, about ninety miles south of Salt Lake City. The *canard*, for so it proved to be, was published in the *Salt Lake Tribune*, of Sunday, March 16th, 1884. It was headed:

"A RED HOT ADDRESS"

"*Bishop West of Juab, on the God-forsaken Gentile Government.*"

Juab was a small, obscure railroad town, and consisted of a hotel, a frame boarding house, a store or two, supported by a few scattered ranchmen, and section hands of the railroad. The "address" purported to be a stenographic report of an harangue by one "Bishop West" on Sunday, March the 9th. It is too long for reproduction in this text, and excerpts would scarcely give an idea of the vileness of the gross brutality, and untruthfulness of the fanfaronade, of treasonable diatribe against the United States, its murderous blas-

7. *New York World* impression of June 14th, weekly, 1882, p. 328. The *Chicago Times*, early in January, 1884, stood out strongly against hostile legislation for Utah; the same is true of the *Chicago Herald* of the same period.

8. See this *History*, chapter clv.

phemy, its smug hypocrisy, and its threats of assassination against Governor Eli H. Murray.

The opening sentence and a few excerpts may help a little to exhibit the senseless harangue put forth as a "sermon."

"It is time my brothers and sisters, that we ceased this cowardly silence and humble submission to the rulings and machinations of the devil and his fieryimps at the capitol of this God-for-saken Gentile government; and it is time for us to fling their defiance and scurrilous domination back in their faces. * * * If I had my way not a house would be left standing which sheltered a knavish Gentile. They are eye-sores in the sight of the Lord and his vengeance is sure to come. They have persecuted his saints, and he has commanded them to destroy their persecutors. He has commanded the saints to rid the earth of the sin-besmudged heretic. * * * Hell is filled with the scurrilous Gentiles and the floors of hell are paved with the skulls of apostates. He who kills a Gentile rids the earth of a serpent and adds a star to his own crown. The saints are gathering together from sea to sea and they will rise in their awful might and fall upon the enemies of Zion. * * * The minions of the devil are let loose in our midst by the crime soaked politicians who rule our land. The shades of the sainted martyr Smith calls aloud for vengeance at the hands of his followers. The blood of the Gentile persecutors shall be spilled on their own threshold to appease the anger of our prophet. Tune the lyre and beat the cymbals, for our revenge is now at hand! * * * Our strength is greater than the world believes and our will is powerful and undaunted by heretic menaces. The Lord is our shepherd and we cannot fail. The red man is our firm ally and he thirsts for the blood of the enemy of Zion. * * * Our young men are drilling for the conflict, and our wives and daughters are making themselves ready to minister to our wants, and the day is close at hand. Let the Gentile leeches and poltroons beware and win our forbearance if yet they may."⁹

So on to the end, *ad nauseam*.

In editorial comment the *Tribune* referred to it as having been forwarded to the paper by "a friend," and in the heading to the address it was declared to have been reported "by Tobias Tobey, for the *Salt Lake Tribune*."

"It reads like the old-day tabernacle harangues, and the devout brethren and sisters of the former time would have warmly enjoyed and commended it, as being 'full of the sperret;' indeed, we are not sure but that away down deep in their hearts they will approve it now. It is a very violent harangue, full of bitter malice and the usual untruths of the fanatics when they undertake to deal with subjects wherein they

9. *Salt Lake Tribune* of March 16th, 1884.

are opposed. The common dreary twaddle of exclusive holiness and a monopoly of honesty is disgustingly paraded by this dishonest parasite in behalf of a set of rogues whose crimes, speculations, public and private, robberies and unblushing piracies are the amazement of every one who has had to do with the fact."

Throughout the editorial treats the "address" as if it were a truthful report. Two days later came the exposure of the hoax. Elder George Teasdale, of Nephi, on seeing the "address" in the *Tribune*, wrote to the *Deseret News* and declared that there was no "Bishop West," in that section of the country or in the church; that only a branch organization existed at Juab; that it was presided over by Elder James Wilson; that on Sunday the 9th of March, the time of the alleged harangue, in consequence of a washout on the railroad, no services were held in Juab, and who "Tobias Tobey" was nobody knew, and that the "address" was "a base fabrication."¹⁰ The *Salt Lake Tribune* itself claims also to have conducted an investigation of the matter, "the authenticity of it [the 'address'] having been questioned." This exposure led to the editorial announcement on the 20th of March, that the reported "sermon" was "a forgery." "No such 'address' was delivered, as far as this investigation is concerned," continues the *Tribune's* editorial, "and no 'West' is known in Juab." Had the editorial stopped with this declaration, with subsequent statement of how it had been imposed upon by "a friend," it might have come out of the affair with some credit; but unfortunately after its denial of the genuineness of the "address" it practically reinstated the forgery in all its strength of falsehood, and of its treasonable and its murderous threatening, by saying:

"We regret that we have been made the vehicle of this imposture, but it is so like what is going on all the time and the ordinary talk and feeling of the majority here, only in more concentrated form, that it might have deceived even a saint."¹¹

10. Teasdale's letter is published in *Deseret News*, weekly, of March 26th, 1884, p. 152.

11. *Salt Lake Tribune*, daily, of March 20th, 1884.

The *Tribune* claims that the "explanation" of its correspondent was that the "address" was "a collection in one connected whole" of what he had "heard at different times in Mormon sermons and otherwise during a brief sojourn in Utah." This even the *Tribune* itself denounced as reprehensible, saying: "It was a totally reprehensible proceeding to write these disjointed fragments up in this way and attribute them to one man on any special occasion."¹² Yet the *Tribune* throughout the controversy maintained that the chief matter of the bogus "West address" was only what had been said in the discourses of "Mormon" leaders, but in more "concentrated form," and even published some excerpts from discourses, in "proof" of the position, and followed these with the statement:

"In view of all the facts, and of the record, we submit that the 'Bishop West Address' was no libel at all, though it was non-genuine. But the genuine is worse than the spurious, as fact is stronger than fiction."¹³

THE MISCHIEF OF FALSEHOOD SET ON FOOT

The alleged "West address" was circulated in various parts of the east. It found its way into Lewis county, Middle Tennessee; and while the tragedy which occurred at Cane Creek in that county, on the 10th of August, 1884, may not be charged solely to that "address," it was beyond any question a potent factor in producing the tragedy, the last thing needful to create the sense of justification in the minds of the people in that vicinity for the ferocious act of mobocracy that ended in the killing of two "Mormon" missionaries from Utah; two other young men not members of the church, but friends of the elders, and natives of Tennessee; also the serious wounding of an aged lady—mother of the two young men referred to—rendering her a cripple for life, and the killing of one of the mob party.

12. *Ibid.*

13. *History of Utah*, Bancroft, p. 637.

For more than twenty years elders of the Church of the Latter-day Saints had occasionally passed through Hickman county, Tennessee,—the county adjoining Lewis on the north where there had been members of the church from Nauvoo times. About six years previous to the tragedy here to be described, the elders had extended their labors on to the headwaters of Cane Creek, in Lewis county, where a branch of the church had been organized. The converts in this branch had lived in peace with their neighbors, interfering with no one, and uninterfered with except that they had brought upon themselves the sneers of some of their neighbors by becoming identified with so unpopular a religion as “Mormonism.” Elders had preached quite regularly through the summer of 1884 in this branch of the church, and considerable success had attended their labors, eighteen baptisms resulting from the labors of Elder John H. Gibbs and Wm. H. Jones from April to July.¹⁴ During all this summer opposition and bitterness was increasing. One Parson Vandevere, of Hohenwald, the shire town of Lewis county, circulated the “Red Hot Address” alleged to have been preached by “Bishop West;” “and by his pretended credence to the falsehood,” wrote Elder Wm. H. Jones,¹⁵ who was at the Cane Creek tragedy, and narrowly escaped with his life, “causing great excitement. Elder Gibbs and I sent by mail to Vandevere an exposure of the address in question, but he [Vandevere] did not show it to anybody that we know of.”¹⁶

THE MOB TRAGEDY ON CANE CREEK

Elder Wm. S. Berry and Henry Thompson, traveling elders from Utah in the district, had made an appointment for religious services to be held at the home of a Brother

14. See Jones' account of the massacre, *Millennial Star*, vol. xlvi, p. 625, *et seq.*

15. See Jones' account of the massacre, *Millennial Star*, vol. xlvi, p. 625.

16. Letter of Wm. H. Jones, quoted by Elder John Nicholson in a lecture on “The Tennessee Massacre and Its Causes,” Salt Lake Theatre, Sept. 22nd, 1884. Excerpt from Jones' letter is given in the footnote of the published lecture, p. 21. The Nicholson lecture delivered in the Salt Lake Theater by request of the mayor of the city and other prominent citizens was the sensation of those exciting times.

James Condor, on Cane Creek, on Sunday, August 10th. A day or two previous to the time of the appointment they were joined by Elders John H. Gibbs and Wm. H. Jones, who had been absent from this field of labor through six or eight weeks on a tour through surrounding counties in Tennessee and northern Mississippi. They had been absent on a special mission to which they had been called by the president of the Southern States Mission, to stem, if possible, the tide of misrepresentation that was creating popular prejudice, the pressure of which was being everywhere felt throughout the south. They were instructed to call upon the leading citizens of the various counties and give them correct information respecting the doctrine, history, and the progress of the Church of the Latter-day Saints, as well as to represent the true condition of affairs in Utah—politically, socially, and morally.

By ten o'clock a number of people had gathered at the Condor residence where three of the elders had arrived earlier in the morning, Gibbs, Berry, and Thompson; Elder Jones who had lingered at the home of Mr. Thomas Garrett to read Utah papers, as he drew near the Condor residence was seized by a mob of twelve or fourteen masked men who held him prisoner, and made inquiry as to the whereabouts of the other elders.

A number of the gathering congregation were loitering about the gate and doorway of the house, and some were in the orchards at the rear of the house, when the mob from ambush rushed upon the Condor home. At the gate the mob seized the older Condor and held him fast, but not before he had shouted to James R. Hudson, his wife's son by a former husband, and his own son, Martin, to get their guns and resist the attack. The two young men made a dash for the house. Young Hudson had to go to the attic of the house for his gun, which he, that morning, had loaded at the request of his mother in anticipation of trouble. Martin's gun was suspended in deer horns over the back door of the living room, where

the morning's religious services were to be held. As Martin entered the door the leader of the mob was taking down this gun, and a short, fierce struggle ensued for possession of it, during which young Martin Condor was shot down by others, and the mobber, turning the gun upon Elder Gibbs, who was in the act—*Bible* in hand—of seeking a text for the pending morning service—shot him, and the elder sank to the floor a dead man.

Meantime other bloody work had been going on. Many guns had been fired. One aimed at Elder Thompson, Elder Berry seized and pushed aside, enabling Thompson to escape from the back door through the orchard and to the woods, but at the instant he had saved Thompson's life Berry himself fell riddled with bullets. The mobber who had shot down Elder Gibbs had just stepped from the front door of the house when young Hudson came from the attic, gun in hand. Two men seized him at the foot of the rude stairway, but flinging them off, he rushed to the door and shot the murderer of Elder Gibbs, killing him instantly. The man so killed proved to be Dave Hinson, the leader of the mob, and the arch enemy of the elders in that region. Then pandemonium reigned. Young Hudson was fired upon and fatally wounded—he died within an hour; the mob yelling for vengeance for the killing of their leader, rushed to the open windows and fired promiscuously into the house, savagely wounding Mrs. Condor in the hip, from which to the time of her death she remained a cripple; but most of the shots thus fired riddled the bodies of the dead elders upon the floor. This done the mob took their dead leader and departed.¹⁷

ESCAPE OF ELDER WM. H. JONES

The single guard left in the adjacent woods with Elder Jones, hearing the firing, mingled with the screaming of the women and children, and thinking that a general massacre

17. Mrs. Condor died at her home in Hohenwald, the shire town of Lewis county, Tennessee. Her husband, James Condor, died October, 1911. (See *Improvement Era*, Oct., 1911, p. 1107).

was going on, evidently became alarmed and permitted his prisoner to escape, accompanying him through a cross country run to a trail leading into the adjoining county of Hickman.

The coroner's inquest over the bodies of the two elders and the two Condor brothers, determined that they came to their death "by gun shot wounds inflicted by unknown parties." The Condor brothers were interred in the orchard surrounding their home, where they had so valiantly sought to defend their friends, the two slain elders. The latter by the coroner's orders were buried in rough coffins on a knoll overlooking Cane Creek, by the roadside, and a little below the Condor residence. Six days later the assistant mission president of the southern states—then in personal charge of the field—went with three others to the place of burial, disinterred the bodies of the elders and sent them to their families in Utah, in charge of Elder Willis E. Robison, who was released from his mission for that purpose.

Of the three men who accompanied the presiding elder of the mission to recover the bodies, two were members of the church from Shady Grove, Hickman county, about thirty miles from the scene of the tragedy. Their names were Henry Harlow and William Church. The third was a young man, not a member, by the name of Rufus Coleman. Unfortunately in the early accounts of this incident, the part of Rufus Coleman was accredited to Robert Coleman, a younger brother, but it was Rufus who joined in this expedition, attended with more or less risk. Two brothers, Emmons and Robbins Church, members of the church from Nauvoo times, furnished the two teams and wagons for the expedition; and a Mr. Bernard Moses, a merchant tailor of Chattanooga, with whom the mission had done some business, kindly guaranteed payment to the Chattanooga house of undertaker's supplies for the two caskets, and advanced money for the undertaking, pending the arrival of means telegraphed for to Salt Lake City. It is a pleasure to note that Mr. Moses, whose aid at that time was so valuable, is still living (1930) now in

Baltimore, Md. He has visited Utah in later years and formed pleasant acquaintance with President Grant.

THE HEROISM OF ELDER WILLIS E. ROBISON

As an evidence of the brotherly love existing among these missionary elders of the Church of the Latter-day Saints, it should be stated that Elder Robison, who was laboring in Humphrey's and Dickson county, forty miles from Cane Creek, on hearing the many conflicting reports of the attack upon the elders, the alleged escape of some of them, "who were doubtless in the woods and wounded," immediately set out through a hostile country—wild with excitement, the people invariably in their comments justifying the killing of the "Mormons"—to ascertain just what had happened, and who needed help. He decided to make this trip alone, as being less likely to attract attention, and if disaster came of it only one would fall instead of more. After narrow escapes from guards watching the roads leading into Cane Creek settlement, he finally reached the Condor home at midnight of Thursday, the 14th, ascertained what had happened at first hand—learned that the surviving elders had reached places of safety and were with friends; and the same hour, or on Friday morning, between the hours of one and two, departed from the neighborhood and returned to his companion in Dickson county, where a message awaited him to meet the assistant president of the mission in Nashville, the state's capital, to which point the elders in the nearby counties had been called as being safer than in the smaller towns and the rural districts in this time of stress. After his arrival in Nashville on Monday, the 18th, Elder Robison was selected to convey the bodies to Utah. Robison wrote a detailed account of his adventures on this trip to Cane Creek, and of his journey home with the bodies of his murdered brethren, that in the simple and modest style in which the story is told, makes a thrilling narrative of adventure.¹⁸

18. It is published in the *Improvement Era* of November, 1898.

THE TENNESSEE MARTYRS

JOHN H. GIBBS

John H. Gibbs was the son of George D. Gibbs and Ellen Phillips, and was born on the 28th of July, 1853, at Haverford, West Pembrokehire, Wales. He immigrated to Utah with his parents in 1866. By profession he was a teacher in the public schools and had long been recognized as a moral force among the young men of northern Utah. He left Utah on his mission to the south in February, 1883. He was married to Louisa Obray, daughter of Thomas L. Obray of Paradise, Utah, on the second of November, 1874, and left a family of several children.¹⁹ The present writer having knowledge of him through long association, can testify of his character personally as being without reproach. He possessed those qualities of mind and heart which naturally endeared him to all who had the pleasure of his acquaintance. Every labor required of him was intelligently executed. He was untiring in his labors in the ministry. Yet his zeal was tempered by an excellent judgment, pleasantness and charity. His mind was well stored with information and he was naturally gifted, being fluent in speech, easy and pleasant in conversation, and an excellent correspondent. But to crown it all, he was an honorable man, ever prayerful and humble in spirit—a truly Christian man.

WILLIAM S. BERRY

William Shanks Berry was born in Dresden, Weekly county, Tennessee, on the 3rd of February, 1838; and was the son of Colonel Jesse and Amelia Berry. He was of Revolutionary ancestry. His father served in the war of 1812-14 against Great Britain, and rose to the rank of colonel. Both of William S. Berry's grandfathers, and his great-grandfather, on the paternal side, were soldiers of the Revolution,—and fought to establish the American Republic. Colonel

19. *Millennial Star*, vol. xlvi, pp. 582-3.

Jesse Berry, father of William, received the faith of the Latter-day Saints in the state of Tennessee, in 1842 and moved with his family to Nauvoo in the spring of 1844, where, on the 6th of August of the same year, he died. The family migrated to Salt Lake valley in 1848; and subsequently moved into the south part of the territory, and settled at Kanarra. The martyrdom of William was all the more a severe blow to the family for the reason that in the Indian War of 1866, in southern Utah, two of his brothers, Robert and Joseph, and the wife of the former, were barbarously murdered by Indians; and John W. Berry, the sole surviving son of Colonel Jesse Berry, who came to Salt Lake City to meet and accompany the remains of his martyred brother to Kanarra, to his mother,—then in her eighty-first year—had performed a similar service for his brothers who were the victims of Indian savagery. Elder Wm. S. Berry was of a fine personal appearance, being fully six feet in height and powerfully built. He was somewhat slow of speech, but endowed to a remarkable degree with good, sound sense, and was of a mild and genial disposition.²⁰

THE CONDOR BROTHERS: JAMES R. HUDSON, MARTIN CONDOR

A word should be said respecting the fellow martyrs of the elders and their defenders—James R. Hudson and young Martin Condor. They were the sons of Sister Condor, who was wounded in the brutal assault on the lives of the elders. J. R. Hudson was her son by a former husband, and Martin Condor by her present husband, James Condor. Unfortunately we can say nothing of the date or place of their birth. Martin Condor was a mere boy, only nineteen years of age, J. R. Hudson must have been twenty-four or twenty-five. They were children of nature, accustomed to the hardships of backwoods life, the gun, and the chase. Their edu-

20. For above details see communication of Judge George W. Bean in *Deseret News*, weekly, Aug. 27th, 1884, p. 499; Bishop Henry Lunt, *Ibid*, p. 504 and interview with John W. Berry, *Ibid*, p. 508.

cation was limited, having been reared in a neighborhood remote from the centers of education, and the circulation of books and periodicals. They knew but little of the great world, but little of its polish and refinement—terms too often used to cover its hypocrisy and deceit—to all this they were strangers; but by their action on the tenth of August, in defending the elders, they proved to the world that beneath a rough exterior, they possessed qualities of heart and mind which proclaim them Nature's Noblemen.

The remains of the martyred elders were sent to their respective homes, Elder Gibbs to Paradise, in Cache county, Utah; Elder Berry to Kanarra, in Iron county; and on Sunday the 24th of August, fourteen days after the martyrdom, services were held over their remains in their respective home villages, and memorial services in many of the wards throughout the stakes of Zion. Subscriptions were taken up all over the church in aid of the families of the martyred elders, of the Condor family, and also for the removal of the saints on Cane Creek, who might wish to avail themselves of the opportunity, and felt themselves in danger, to the settlements of the saints in San Luis valley, Colorado.²¹ Most of the saints of the Cane Creek branch of the church accepted this opportunity and removed to the Colorado settlements in San Luis valley.

OFFER OF A REWARD FOR THE APPREHENSION OF THE MURDERERS

The governor of Tennessee, William B. Bate, was waited upon and formally petitioned by a number of the elders, who had gathered into Nashville for safety, to offer a reward for the apprehension of any or all the parties engaged in the mobbing on Cane Creek, Lewis county. The governor was very indifferent to the matter, and manifested some impatience at the request, but finally offered a reward of \$1,000 to be divided *pro rata* according to the number con-

21. See *Deseret News*, weekly, of Sept. 10th and 17th, 1884; also History of Southern States Mission, *Southern Star*, of July 1st, 1899, pp. 241-2.

victed, the offer holding good as well for the apprehension of the parties who shot and killed David Hinson—the mob leader, masked and with a gun in his hand, and whose death revealed his identity—as well as the innocent victims of the assault led by him!

At the fall term of the circuit court in which Lewis county was included, Judge T. P. Bateman delivered a rather pompous charge to the grand jury, that might mean much or little according as to which passages were emphasized, those that depicted the helplessness of grand juries and the courts in such cases, or those which described the majesty of the law.

For example the judge said, with respect to the helplessness of the courts and the law:

“And this thing of murdering one another for differing in religious belief has been going on as far back as we have any history, and it looks as if it would continue as long as there remain two different religions and they can get hold of each other’s missionaries; and no civil tribunal to this day has ever been able to suppress it. * * * This practice of killing men for attempting to introduce a new religion in a country that does not want it, can never be suppressed by the civil tribunals, and he who expects it will certainly be disappointed. * * * I have said this much that the public may see how futile it is for a court to attempt to do anything in a case like the one before us, and it is obliged to remain this way so long as there is such a diseased sentiment among a part of the clergy, a portion of the press, and many of the people.”²²

On the side of the majesty of the law, he said:

“The law is: that any person going about the country masked or disguised is guilty of a misdemeanor. If they make an assault upon any one with a deadly weapon, it is a felony, and if they kill any one it is murder, and in such cases it is the duty of the grand jury to send for witnesses if they think they know who can make out the case, and examine the witnesses touching the offense of going masked or disguised, and any offense growing out of it, and find bills or not, as the proof may justify.”²³

And these two views the judge linked together with this discouraging, nerveless observation:

22. Copied into *Millennial Star*, vol. xlvi, p. 805.

23. *Ibid.*, pp. 805-6.

*"But gentlemen of the jury, it makes no difference how powerless the courts are in such cases, they must act, and in cases like this must generally fail to do anything and must bear the consequences of one party for trying to do, and the censures of the other party for not doing what they cannot do."*²⁴

This "straddle" of the case—this confession of the inability of the court to do anything, effectually put an end to any earnest effort to bring the guilty to punishment. Nothing came of the charge—no indictments were found.

ACTION OF GOVERNOR MURRAY RESPECTING THE TENNESSEE MASSACRE

As soon as it was learned in Utah from press dispatches that Governor Bate would offer a reward for the detection and arrest of those engaged in the mob violence on Cane Creek, Governor Murray took a hand in the procedure in a most unwarranted manner. Without any justifiable reason that any circumstance connected with the case can give, he sent the following dispatch to Governor Bate:

"SALT LAKE, Aug. 22nd.

Gov. W. B. Bate, Nashville, Tenn.,

Dispatches state that you are exerting yourself to vindicate the laws in the matter of the murder of Mormon missionaries in Tennessee. I thank you for this action. The charges of preaching polygamy do not excuse murder. I trust that you may bring the guilty to punishment, thereby preventing such lawlessness in Tennessee or elsewhere. Lawlessness in Tennessee and Utah are alike reprehensible, but the murdered Mormon agents in Tennessee were sent from here, as they have been for years, *by the representatives of organized crime*, and I submit that as long as Tennessee representatives in congress are, to say the least, indifferent to the punishment of offenders against the national law in Utah, such cowardly outrages by their constituents as the killing of *emigration agents* sent there from here will continue.

ELI H. MURRAY,
Governor."²⁵

This dispatch served two purposes for Governor Murray; first, it enabled him to falsely represent the elders of the Church of the Latter-day Saints as agents of "organized

24. *Ibid.*

25. *San Francisco Bulletin*, to which paper the message was sent as a special dispatch. It is copied into *Deseret News*, weekly, of Sept. 3rd, 1884.

crime in Utah," thus suggesting the ground plan of an excuse for those who murdered them—leaving his expressed wish that "the guilty might be brought to punishment," and his characterization of the Cane Creek deed as a "cowardly outrage," just so much insincere mockery; and second, it enabled him to rap the representatives in congress from Tennessee for what he regarded as their indifference to the "Mormon question," and their unwillingness to favor the anti-"Mormon" legislation pending in congress.

OTHER ACTS OF VIOLENCE TOWARDS THE L. D. S. ELDERS IN THE SOUTH

In addition to the massacre on Cane Creek, the eventful summer of 1884 in the Southern States Mission was enlivened by a mob at Rye station in Mississippi seizing Elder Charles Flake at night, while waiting for the arrival of a companion on an incoming train, and pouring over him a half tub of pitch and tar, and compelling him to leave before the arrival of his companion. This in May.²⁶

A Latter-day Saint meeting house was burned to the ground by a mob in St. Clair county, Alabama.²⁷

On the 24th of July, in Meshaba county, Mississippi, Elders John W. Gailey and Joseph Morrell were taken out into the woods in the middle of the night, ropes placed about their necks, by which they were led, while an angry dispute arose among their score of captors as to whether they should be hung or whipped. The whipping was finally decided upon. The elders were stripped and tied to trees, after which one of the mob selected for the task, because of his great strength, was detailed to give them fifteen lashes each with a heavy leather halter strap doubled, which he did with all the brute force he could put into his blows.²⁸ They were then ordered to leave the county.

26. See History of the Southern States Mission, *Southern Star*, vol. i, p. 169.

27. *Ibid*, p. 178.

28. *Ibid*, p. 186.

On August 8th, in Lee's valley, Hawkins county, Elder James Roskelley was shot through the arm while seated upon the porch of the house of a Mr. Green, a prominent citizen of the place, whose son had been healed through the faith and administration of the elders. The assault was committed by a negro who had been hired to perform the act. The attempt was most murderous as the ball had sped obliquely across Roskelley's breast and entered the fleshy part of his arm.²⁹

On the night of the 17th of August, in Lauderdale county, Alabama, Elders J. J. Fuller and George J. Woodbury were assaulted, and taken to the woods where Elder Fuller, a man well advanced in years, was given about forty lashes and ordered to leave the county. Woodbury had made his escape from the mob while being ordered from the house to the woods.³⁰

There were many threats made in various parts of the south. Mr. Garrett of Cane Creek settlement, though not a "Mormon," but who had extended the hospitality of his home to the elders, and had rendered valuable assistance in taking the bodies of Elders Gibbs and Berry from their graves that they might be sent to their sorrowing families in Utah, was compelled by repeated threats to leave his home, and despairing of ever being able to live in security in that settlement, sold his home and farm at a great sacrifice, and moved into Bond county, Illinois.

So numerous were the threats of mob violence that it was thought prudent to suspend missionary activity for a time, and allow the excitement to subside; but there was no intention of abandoning the field. Later in the fall the presidency of the mission submitted their report of conditions in the south to the first presidency of the church, who advised that the work continue to be conservatively carried on, avoiding difficulties as far as possible, "and when they persecute you

29. See *Millennial Star*, vol. xlvi, pp. 580-1.

30. *Ibid*, p. 653.

in one city, flee ye to another," was the signed instruction of the presidency of the church.³¹ Letters were accordingly written to the conference presidents to this effect, and the south has continued a prosperous and fruitful mission to this day, (April 6th, 1930).

31. History of the Southern States Mission in *Southern Star*, vol. i, p. 242.

CHAPTER CLIX

CHANGES IN LEADING COUNCILS OF THE CHURCH—THE PACIFIC ISLAND MISSIONS

FOLLOWING closely the political developments from 1880 to 1884, with the anti-“Mormon” agitation of the period ending in the Tennessee tragedy, has led us past a number of events that must now receive attention. The death of a number of prominent men occurred during this period, resulting in quite a number of changes in the personnel of the presiding councils of the church.

DEATH’S HARVEST—1881-1884

Among these was Joseph Young, brother of Brigham Young, who through so many years had been connected with the first council of the seventy—from its organization, in fact in 1835, and from the 6th of April, 1837, the senior president of the council. He died on the 16th of July, 1881. Seven months later, 18th of February following, John Van Cott, a member of the same council since 1862, died; making two vacancies in the council. On the 3rd of October, 1881, Elder Orson Pratt of the council of the twelve died; and his death, with one vacancy left over from the time of organizing the first presidency in October, 1880, made two vacancies in the council of the twelve. About two years later, viz., November 17th, 1883, Elder Charles C. Rich of the council of the twelve died; and a month before that, viz., Oct. 16th, Edward Hunter, the venerable presiding bishop of the church, died in his ninety-first year.

Of notable men in the church who died in this period, but not numbered among the general church authorities, was Hon. John M. Bernhisel, Sept. 28th, 1881, Utah’s delegate to congress for many years; George D. Watt, the first man baptized in the British Mission Oct. 24th, 1881; Hon. Wil-

liam H. Hooper, many years Utah's delegate in congress, Dec. 30th, 1882. Elizabeth A. Whitney, generally known as "Mother Whitney," the widow of Bishop Newel K. Whitney, and a most steadfast, early friend of Joseph Smith, the Prophet, died on Feb. 15th, 1882. "She was the second of her sex that received the endowment ceremonies, being a priestess in the House of the Lord."¹ Among the notable men who had befriended the Latter-day Saints who passed away in this period was Judge Jeremiah S. Black, whose death has already been noted; and General Thomas L. Kane—so often referred to in these pages—who died at his home in Philadelphia on the 26th of December, 1883. His friendship for the Latter-day Saints in Utah remained steadfast to the end. In a letter to George Q. Cannon, Mrs. Kane under date of Dec. 30th, wrote:

DEMISE OF GENERAL THOMAS L. KANE—FRIEND OF THE
LATTER-DAY SAINTS

"My dear Mr. Cannon:

Your friend suffered intensely until a few hours of his release, and his mind was wandering from the outset of the attack. Yet in the intervals of consciousness he was fully persuaded of the approach of death, and made efforts to give us counsel and to bid us farewell. In one of these lucid moments he said: 'My mind is too heavy, but do you send the sweetest message you can make up to my Mormon friends—to all, my dear Mormon friends.'"

Mrs. Kane adds:

"Nothing I could 'make up,' I am persuaded, could be sweeter to you than this evidence that you were in his latest thoughts."²

THE FILLING OF VACANCIES

The vacancies created in the council of the twelve by the organization of the first presidency, at the October conference of 1880, when three of the twelve apostles were taken to constitute that presidency, and also the vacancies created by

1. See *Deseret News*, weekly, of Feb. 22nd, 1882, where note of her death and her life's work will be found and testimonies of her virtues.

2. *Juvenile Instructor*, vol. xix, pp. 24-5. In this same number under "topics of the times and editorial thoughts," a very fine character sketch of the general will be found. See also *ante* this *History*, chapter cxlvi, note 2.

the death of Elders Pratt and Rich, noted above, were filled as follows: Francis Marion Lyman³ and John Henry Smith⁴ were chosen at the October conference of 1880, and both were ordained on the 27th of October of that year. The remaining vacancies in the council of the twelve, one left over from the time of the organization of the first presidency, and that occasioned by the death of Orson Pratt, were filled by the appointment of George Teasdale⁵ and Heber J. Grant.⁶ The last two brethren were chosen by direct, formal revelation,⁷ given on the 13th of October, 1882, through President John Taylor. They were ordained on the 16th of the same month. The vacancy in the Apostle's quorum occasioned by the death of Elder Charles C. Rich was filled by the appointment of Elder John W. Taylor—son of President John Taylor—to that position on the 6th of April, 1883.

At the October conference of 1882, Elders Abraham H. Cannon and Theodore B. Lewis were selected to fill the vacancies in the first council of the seventy; but it was learned that Elder Lewis was a high priest, and, consequently—for the reason that these presidents are to be “chosen from among the seventy”—he was found ineligible and was not ordained.

3. Elder Francis Marion Lyman was the son of Amasa M. Lyman, formerly one of the twelve apostles, and prominently identified with the affairs of the church as already detailed in these pages. The new apostle was born Jan. 12th, 1840, in the town of Goodhope, McDonough county, Illinois. His mother's name was Louisa Maria Tanner. The Utah Lyman's run back into the great American Lyman family of the New England states.

4. John Henry Smith was the son of George Albert Smith and Sarah Ann Libby. His father was a member of the apostles' quorum and counselor to President Brigham Young. He was born near Council Bluffs, Iowa, Sept. 18th, 1848.

5. George Teasdale was the son of William Russell Teasdale and Harriet Henrietta Tidey. He was born in London, England, Dec. 8th, 1831. He received the faith of the Latter-day Saints in 1852, came to Utah in 1861, and had been active in church service for many years.

6. Heber J. Grant was the son of Jedediah M. Grant, Salt Lake's first mayor, and counselor to President Brigham Young in the first presidency of the church. He was born in Salt Lake City, Nov. 22nd, 1856. He has the distinction of being the first native son of Utah to be chosen one of the twelve apostles of the church.

7. The revelation complete was published, and will be found in *L. D. S. Pamphlets*, vol. lxxv, collection in Historian's Office. See also letter of President John Taylor to Albert Carrington, *Millennial Star*, vol. xlv, pp. 732-3. According to President Taylor the revelation was submitted to the twelve apostles and accepted by them; afterwards it was submitted to the presidents of stakes, the first council of the seventy and others. (*Ibid*).

Abraham H. Cannon was ordained one of the first council on the 9th of October; and on the 13th, Elder Seymour B. Young was chosen by direct revelation to fill the remaining vacancy in the first council, being named for that position in the same revelation that called Elders Teasdale and Grant to the apostolate,⁸ and he was ordained on the same day with them, October 16th, 1882. The vacancy in this council created by the death of John Van Cott, was filled by the appointment of Christian D. Fjeldsted, who was ordained on the 28th of April, 1884.

The vacancy occasioned by the death of Presiding Bishop Edward Hunter was filled by the appointment of William B. Preston,⁹ at the April conference of 1884. He was at the time of his selection president of the Cache Valley stake of Zion. He retained in service the counselors of his predecessor, Bishop Hunter, *viz.*, Leonard W. Hardy and Robert T. Burton, and these three constituted the new presiding bishopric of the church.

QUORUMS OF THE SEVENTY SET IN ORDER

In harmony with the instructions in the revelation of 13th of October, 1882, to the twelve, *viz.*, to assist in organizing that body of the priesthood—the seventies—who were their colaborers in the ministry, much attention was immediately given to setting these general quorums of the church in order. For some years confusion had existed in the quorums of the seventy. In October, 1844, at Nauvoo, they were increased from two quorums to ten in number. The first quorum of seventy was broken up into groups of seven to preside as councils over these ten respective quorums; but they

8. President Taylor's letter to Carrington, *Millennial Star*, vol. xlv, pp. 732-3.

9. Bishop Preston was born in Franklin county, Virginia, Nov. 24th, 1830. His father was Christopher Preston, a cousin of W. B. Preston of Virginia, and W. C. Preston, of North Carolina, both members of congress from their respective states. His mother's name was Martha M. Claytor. He received the gospel of the New Dispensation in California, to which state he had removed from Virginia in 1852. He came to Utah in 1858, and participated in all the activities of developing a new and but sparsely settled country. (See Biography in *L. D. S. Biographical Encyclopedia*, Jenson, vol. i, p. 233).

still constituted also the first quorum of seventy. During the next two years the number of quorums was greatly increased, and after arriving in Utah the multiplication of quorums went on, but without definitely districting them. The result was that a quorum was scattered to wherever its members wandered, and the only meetings that could be held were "mass meetings" in appointed districts, instead of in quorum meetings. Under the readjustment of the quorums in 1883, however, it was proposed that quorum districts be organized with the establishment of headquarters for each quorum, where its records should be kept; such districts to be distributed throughout the church territory under the direction of the first council as the number of the priesthood residing in such localities might seem to justify; and any vacancies that existed, either in the presidency or the membership, might be filled by the ordination of persons residing in the locality in which the respective quorums were located; seventies removing from one district to another could take a transfer to the one into which they moved, and thus the quorums would be kept in existence, meet in their quorum capacity, and maintain a permanent entity, as a unit in the priesthood organization.

The first quorum was to consist of the first council of the first seventy, and the senior presidents of the next sixty-three quorums. In case of the absence of any of the first quorum, thus constituted, the senior presidents of other quorums might act in their place. In all cases where members of the quorum were called in question a majority of their respective quorums were declared to have jurisdiction in all cases involving their standing as members of their respective quorums. Any complaints regarding the presidents of quorums were to be made to the first seven presidents of seventy, who might suspend them, if the conduct complained of seemed to justify it, pending the action of the first quorum. Any presidents or members from whom

fellowship was withdrawn were to be reported to the high council having jurisdiction. These several arrangements written as instructions for the setting in order of this body of priesthood, received the sanction of formal revelation through President John Taylor, on the 13th of April, 1883, by the Lord saying: "*what ye have written is my will, and is acceptable unto me.*"¹⁰

The impetus given to this branch of the priesthood by these arrangements and instructions, has continued to this day; until now (1930) these quorums number 185 in all, with a total membership of ten thousand, some of the quorums not having a full quota of membership.

THE MAORI MISSION—NEW ZEALAND

It was during this period, August, 1883, that the Maori Mission of New Zealand was given an impetus that has made it one of the most interesting and successful missions of the church. The first Maori to join the church was a sailor, baptized by Elder Richard G. Lambert, near Honolulu, Hawaiian Islands, early in 1874. Less than a year later, Oct. 18, 1881, Elder Wm. J. McDonald baptized Nagataki at Auckland, the first native to join the church in New Zealand. In 1883-4 a number of natives were baptized in the Waikato district by Elders Wm. M. Bromley, Wm. J. McDonald, and Thomas Cox; they were organized in February, 1883, as the Wautu branch of the church by the last named elder. Hare Te Katere, a native, was made president. Many of the members of this branch it is said proved unfaithful to the moral requirements of the gospel. The movement that gave the aforesaid impetus to the work among the natives in New Zealand in 1883, was the organization of a branch of the church in the north island of Papwai Wairarapa valley, by Ira N. Hinckley, Jun. Manihera, a native chief, was ordained a priest and appointed the president of the branch, and since then the mission among the

10. See *Seventy's Course in Theology*, First Year Book, where the instructions and the revelation in full are given, pp. 9, 10.

natives of New Zealand has been one of the permanent missions of the church.¹¹ In 1894 a number of the native New Zealanders immigrated to Utah;¹² but as a rule they have been encouraged to stay in their own country. Some of those who came to Utah afterwards returned as missionaries to New Zealand,¹³ and in 1913 a delegation of the natives, Lakerei Ihaia and five other natives spent four months studying social, industrial and religious conditions among the Latter-day Saints.¹⁴ The mission now (1929) numbers 7,075 members in 55 branches and 14 districts. In the same year there were 35 traveling elders from the stakes of Zion and local elders in the mission.¹⁵

THE MAORI AGRICULTURAL COLLEGE AT KORONGATA

On the sixth of April, 1913, the Latter-day Saint Maori Agricultural College at Korongata, near the town of Hastings, north island, was dedicated with imposing ceremonies. The college was erected exclusively for native Maoris, but not exclusively for those of the Latter-day Saint faith. It consists of a tract of splendid land, two hundred and sixty-six acres, and a fine group of buildings. It has attracted wide attention throughout the dominion, and so far has been attended by uninterrupted success. This is said of it April, 1930.

The spirit in which this educational work was received and by which it is attended may be understood somewhat from the interest manifested at the dedication services alluded to above. More than three thousand people were present, of whom about one-third were Europeans from the city of Hastings, six miles distant from Korongata.¹⁶

11. Above condensed from Jenson's *Church Chronology*, under date of Aug. 26th, 1883, p. 113.

12. *Ibid.*

13. See *Church Chronology*, date of March 8, 1898.

14. *Ibid.* Date of Oct. 9th, 1913.

15. *Report from Presiding Bishop's Office*, Dec. 31st, 1929.

16. From report in *Millennial Star*, vol. lxxv, pp. 372-3.

THE SAMOAN MISSION

In June, 1888, a mission was opened in Samoa, by Joseph H. Dean of Salt Lake City. Elder Dean arrived on the islands on the 18th of June, 1888, accompanied by his wife. He at once began work among the natives of the group—among whom he was immediately successful, since by the first of July, following his arrival in the islands, in the little island of Aunuu he had baptized thirteen natives.¹⁷ From then until now (1930) a successful mission has been maintained,¹⁸ which numbers now 4,543, in 36 organized branches, grouped into 3 districts. There are 73 traveling elders in the Samoan group from the stakes of Zion in the United States.¹⁹

17. *Church Chronology*, date of June 18th and 25th, 1888, pp. 162-3.

18. Elder Joseph H. Dean was the first president of the Samoan Mission. He was succeeded on August 16th, 1890, by Wm. O. Lee; Lee by Geo. E. Browning, Feb. 4th, 1892; Browning by Ranson M. Stevens, Nov. 8th, 1893; Stevens by Thomas H. Hilton, May 17th, 1894; Hilton by John W. Beck, March 27th, 1895; Beck, by Orlando Barnes, April 22nd, 1896; Barnes by Edward J. Wood, 25th December, 1896; Wood by Wm. L. Worsencroft (in temporary charge), Jan. 24th, 1899; Worsencroft by Wm. G. Sears, May 3rd, 1899. During his presidency the *Book of Mormon* was translated into the Samoan language, Elder Sears being assisted in the work by Elders Frank E. Morris, Edwin Smart and G. C. Spillsbury. The edition was 5,000. The presidents in succession since then have been: Martin F. Sanders, 1903; Thomas F. Court, 1905; William A. Moody, 1908; Christian Jensen, 1912; John A. Nelson, Jr., 1913; Ernest Wright, 1916; Willard A. Keith, 1918; John Q. Adams, 1920; Ernest LeRoy Butler, 1924; Willard L. Smith, 1930.

19. *Report from Presiding Bishop's Office*, Dec. 31st, 1914.

CHAPTER CLX

THE ANTI-POLYGAMY JUDICIAL CRUSADE 1883-1886

IN THE year 1883, began that series of prosecutions for polygamy and polygamous living, under the Edmunds law, which made the relationship begun by the polygamous marriage a continuous offense—defined in the statute as “unlawful cohabitation.” The prosecutions finally rose to a veritable crusade.

IMPRISONMENT OF WOMEN FOR REFUSING TO TESTIFY IN THE COURTS

The prosecutions as stated began in 1883,¹ but no convictions were had until late in November, 1884. Several women in the early prosecutions were sent to prison for contempt of court for refusing to answer questions relative to their marital status in cases before the grand juries, and the United States commissioners' courts.

In a very few instances of overzeal, and doubtless at the time when it was thought that established sexual relations would be necessary to constitute guilt of unlawful cohabitation, women declared that they did not know who the fathers of their children were.² Such mistaken zeal, though practiced to thwart what was generally felt to be unjust prosecutions, was not approved by Latter-day Saint public sentiment.

UTAH COMMISSION REPORT OF 1885

The Utah Commission appointed under the Edmunds law reported to the secretary of the interior, Hon. L. Q. C. Lamar, date of October 28th, 1885, that there had been eighty-three indictments up to that time, twenty-three con-

1. See case of O. F. Due, arrested on a charge of polygamy 1st of May, 1883. (*Deseret News*, weekly, of May 9th, 1883).

2. See record of third district court in *Deseret News*, weekly, of Sept. 23rd, 1885.

victions, seventeen cases of unlawful cohabitation had escaped punishment by promising the court not thereafter to offend against the law themselves, "nor advise, counsel, aid, nor abet in any way its violations by others; forty-three cases were awaiting trial.³ The commission in its *1885 Report* ventured to estimate—it could be no other than a mere guessing at the matter—the increase of plural marriages in the church, for the year 1884, at four hundred and fifty-nine males and females; but for the year 1885, they expressed the belief that there had been but very few such marriages.⁴

BITTERNESS OF THE COURTS

The prosecution of these cases from 1884 to 1887 became very vigorous. With the power when impaneling both grand and petit juries, to exclude not only all who had ever practiced polygamy but all who expressed a belief in its rightfulness; with frequent resort to calling juries on open venire, because the regular panel would be exhausted by challenges for belief, the administration of the law threw men on trial for these offenses entirely into the hands of non-"Mormons," not infrequently their avowed enemies, and before federal judges who often manifested their bitterness in the sentences pronounced from the bench. For the temper manifested by the courts the case of John Nicholson sentenced in the third district court, will afford an illustration; also the cases of Andrew Smith and Emil Olsen. To Mr. Nicholson, associate editor of the *Deseret News*, the court said with great manifestation of feeling, at times during his remarks striking the desk with his hand: "If you do not submit, [i. e. to the alleged expressed will of the American people] of course you must take the consequences; but the will of the American

3. See report in full in *Deseret News*, weekly, of Nov. 25, 1885. Linn gives the number of convictions as 3, in 1884; 39 in 1885; 112, in 1886; 214 in 1887; 100 in 1888; with 48 in Idaho, for the same period, a total up to that date of 416. (See *Story of the Mormons*, p. 599).

4. See *Report* as above, 1885.

people is expressed [severely] *and this law will go on and grind you and your institution to powder!*"⁵ Procedure was more or less similar in other districts.

SEGREGATION OF ONE OFFENSE

New and novel ways of interpreting the possibilities of the law, so as to increase its penalties, were resorted to. The statute provided that the misdemeanor of unlawful cohabitation should be punished by a maximum term of imprisonment of six months, or a maximum fine of \$300, or both fine and imprisonment, at the discretion of the court. The Utah Commission in its report of the 28th October, 1885, recommended that the term of imprisonment be extended to two years for the first offense and three for the second offense.⁶ But the district courts had surpassed the commission's method of increasing the punishment of a simple misdemeanor, by a process of segregation of the time of the continuance of the offense so that imprisonment might practically be for life, and a fortune, however princely, would not suffice for the payment of fines that might be assessed—to such an extent had anti-“Mormon” madness carried away the federal judiciary of the territory. This method of procedure was sanctioned by Judge Zane of the third judicial district (Salt Lake City), on the occasion of the grand jury coming into court and asking for instructions upon a question of finding an indictment under certain conditions, that had been suggested by the United States district attorney. This on the 16th of September, 1885. The judge instructed the jury that an indictment might be found for any portion of

5. *Deseret News*, weekly, of Oct. 21st, 1885.

6. This report in full will be found in *Deseret News*, weekly, of Nov. 25th, 1885. In its previous report, Nov. 18th, 1884, the commission, only an election returning board by the law which created it, (see section 9 of Edmunds Law,—1882), had recommended the exemption of prosecutions for polygamy from the operations of the general limitation laws, which barred prosecutions after three years; also they had recommended the providing of a special fund for the prosecution of these cases, to be furnished by the department of justice to the proper legal authorities in the territories. These and other recommendations of 1884 were summarized and repeated in the report for 1885.

the time, within the three years past—that being the period the Edmunds law had been in effect—in which the offense was proven to have been committed, whether it be a year, a month, or a week.⁷ As it was held by the courts that it was not necessary to prove sexual association in order to establish the misdemeanor of unlawful cohabitation, but that the offense was complete “when a man to all outward appearances is living or associating with more than one woman as his wife,”⁸ it was possible to prove any number of “cases” even out of ordinary acts of association and courtesy; and especially out of actions that had for their purpose the maintenance of the homes and looking after the material comforts of plural wives and their children. Nothing but absolute abandonment could meet the requirements of the law as interpreted by the federal courts. This interpretation made it possible for one victim when brought before the court and asked to plead to the charge of unlawful cohabitation, to plead guilty in this form—“*If it is a crime to support my family, I am guilty of unlawful cohabitation.*” This case was that of William J. Hooper before the third judicial district court, who pleaded on the 14th of Feb.; six days later he was sentenced to the full extent of the law.⁹

A JUDICIAL REIGN OF TERROR

With the law so interpreted by the federal judges charged with its administration, and its possibilities of punishment so immense, it is small wonder that for the next few years a judicial reign of terror obtained in Utah and the surrounding territories wherever the Latter-day Saints had settled. Funds were supplied through the federal department of justice

7. Third district court proceedings, *Deseret News*, weekly, of Sept. 23rd, 1885, p. 569.

8. Instructions of Judge Orlando W. Powers, judge of the first district (Ogden), court, to the grand jury on the 23rd of September, 1885, “To constitute the offense,” i. e. of unlawful cohabitation, said the judge, “it is not necessary that it be shown that the parties indulge in sexual intercourse. The intention of the law making power, in enacting the law, was to protect monogamous marriage by prohibiting all other marriage, whether evidenced by a ceremony or by conduct and circumstances alone.” (*Deseret News*, weekly, of Oct. 7th, 1885, p. 594).

9. *Deseret News*, weekly, of Feb. 16th and March 2nd, 1887.

for the vigorous enforcement of the law by increasing the number of special deputy marshals, and United States commissioners, with power to make preliminary examinations and bind over to appear before grand juries both those accused of polygamy and unlawful cohabitation, and also the witnesses in such cases. Fired with a zeal that gave every evidence of being born of hate, both for a system and of a people, officers of the law in many cases acted with a harshness that was not warranted when the nature of the offense and the character of the offenders are taken into account. The victims of this crusade were not criminals, brutalized by vices that are the ordinary concomitants of law-breaking. The men who had accepted plural marriage as a part of their religious obligations were among the most honorable men of the Latter-day Saint community, and confessedly, by the non-“Mormon” portion of the community, apart from the one circumstance of their acceptance of plural marriage as part of their religion, were regarded as men of honorable lives and probity of character. The women involved in this marriage system were not women of a low class, or of brutal natures, but were chaste in thought and speech, refined in their manners, mothers of children, and were, even more than in monogamous marriage—since they had larger domestic responsibilities and duties—queens of their own homes.

To assail such elements of a community as if they were criminals to be hunted down by brutal deputy marshals, was an outrage justified by no necessity arising out of the circumstances attendant upon the suppression of polygamous marriages or polygamous living; but that such harsh brutality was resorted to by the federal administrators of the anti-polygamy law, the current periodicals of the times and the mass meetings held to protest these proceedings abundantly witness.

MASS MEETING OF LATTER-DAY SAINT WOMEN

A mass meeting of over two thousand Latter-day Saint

women assembled in the Salt Lake Theater, "representing the wives, mothers, sisters and daughters" of the whole territory of Utah, on March the 6th, 1886, and protested against the course being pursued in the administration of the anti-polygamy laws. An intelligent committee of prominent women, representing all parts of the territory,¹⁰ was appointed to draft a "Memorial and Protest" to the president of the United States and both houses of congress, setting forth their grievances and voicing their protests. This Memorial was presented in the senate of the United States by Senator Blair, of Missouri, on the 6th of April, 1886. The Memorial recited instances of extra judicial procedure on the part of the courts, the imprisonment of women witnesses for refusing to answer indelicate questions respecting sexual associations with their supposed husbands, when at the same time the courts were holding that evidence of such relations was not necessary to the proof of unlawful cohabitation.¹¹

THE DALTON CASE

Before the close of the year 1886, *viz.*, on the 16th of December, to a long list of preceding outrages there was added one other still more atrocious than the others—the killing of a very worthy man, by an overzealous deputy marshal; and because this incident exhibits the bitterness of the spirit in which the "crusade" against the plural marriage system of the Church of Latter-day Saints was waged, it is set forth here in some detail.

The victim was Edward M. Dalton, the deputy marshal one William Thompson, Jun. The place Parowan, Iron county, southern Utah. Dalton had been indicted on the

10. The names and places of residence follow: Mrs. S. M. Kimball, Mrs. E. S. Taylor, Dr. R. B. Pratt, Mrs. M. I. Horne, Salt Lake City; Mrs. Mary John, Provo; Mrs. Mary Pitchforth, Nephi; Mrs. H. C. Brown, Ogden; Miss Ida I. Cook, Logan; Miss Ida Coombs, Payson.

11. *Congressional Record*, senate proceedings, April 6th, 1886. A full account of the ladies' mass meeting, with its earnest addresses and series of strong resolutions will be found in *Deseret News*, weekly, of March 17th, 1886. The report fills two and a half of the large pages of the *News*, solid. At this meeting all the matters of the Memorials quoted in the text were discussed with intense feeling. In no other state of the Union has there been such an uprising of women to resist wrong.

charge of unlawful cohabitation early in the spring of 1885, but under the severely harsh manner in which the law was then being executed, and the illegal segregation policy then being in vogue, he felt justified in evading trial. He escaped from the officer who arrested him and made his way to Arizona, where he spent a number of months among friends in the "Mormon" settlements of that territory. He had returned but a short time to his home in Parowan when two deputy marshals, Wm. Thompson, Jun., and W. O. Orton, rode over in the night from Beaver to arrest him. Arriving at Parowan before daylight on the morning of the 16th of December, they went to the house of Mr. Page, an apostate "Mormon," and made inquiry of Mr. Page as to the whereabouts of Dalton; and though they were armed with revolvers, requested Page to borrow a rifle for their use, which he did, a winchester. They discussed the proposed arrest with Page and the probable whereabouts of Dalton in the village. The son of Mr. Page came in at this junction and reported that Dalton was then coming down the street on horseback, driving stock. The evidence at the subsequent trial of Thompson disclosed the fact that Dalton was in his shirt sleeves, unarmed. The deputies watched Dalton from a north window of the Page house as he was moving by the house westward. Seeing that he turned the corner—on which the house stood—southward, they rushed from a rear door to the southwest corner where they shouted "halt"! "halt"! and an instant later, and some said "simultaneously with the shout," Thompson fired with the borrowed winchester rifle and Dalton fell forward on his horse and to the ground mortally wounded; Thompson was arrested and held by Sheriff Adams of Iron county. Three-quarters of an hour later his victim died.¹²

Great excitement prevailed among the people of the town, almost exclusively a Latter-day Saint community. Naturally, the thing to expect in an American western town

12. See *Deseret News*, weekly, of Dec. 22nd, 1886. The account of the killing is full, and substantially the same as was developed later at the trial of Thompson.

of the period would be the lynching of the officer. In any other western town that doubtless would have followed. Especially since Thompson had but a short time before shot at a man of the name of Jensen, an inoffensive Scandinavian accused of unlawful cohabitation, because he had skipped out of a back door in order to avoid arrest.¹³

Elder Heber J. Grant of the council of the twelve apostles was in Cedar, eighteen to twenty miles southward, at the time of the killing of Dalton and he telegraphed the church authorities at Parowan to keep order, and not allow Dalton's friends to take the law into their own hands, "as one wrong does not justify another."

Meantime at Beaver where the court of the second judicial district was in session—Judge Jacob S. Boreman presiding—a writ of *habeas corpus* was issued by the judge, and placed in the hands of Oscar Thompson, son of Deputy Marshal Thompson, who did the killing.

The next day the case was heard on *habeas corpus* proceedings before Judge Boreman, when the prisoner was released from the custody of the sheriff, but bound over to appear before the grand jury then in session, which Deputy Thompson himself had selected in the spring, and which the night before had of their own volition gone out to meet him and conduct him into Beaver. The jury brought in an indictment for "man slaughter." The community feeling was that it should have been for murder. The case went to trial on the 6th of January, 1887. The trial jury was selected on open venire, chiefly from the mining camps surrounding Beaver, only three being chosen from the latter place. All were non-"Mormons."

After two days trial the jury returned a verdict of "not guilty." The trial was a farce.

The largest question of law that entered into the case was, did the officer have the right, if necessary to effect the arrest, to kill the person for whom he held the warrant. It

13. *Deseret News*, weekly, of Dec. 22nd, 1886, p. 780.

was practically conceded at the trial that for cases amounting only to misdemeanors, no such right to kill existed in cases of flight from, or avoidance of arrest. The great question in the trial then, was one of law. Was Edward M. Dalton charged only with a misdemeanor? and was the warrant Thompson held to be served on him for misdemeanor? The statute which made unlawful cohabitation an offense, specifically designates it as a "misdemeanor."¹⁴ It was unlawful cohabitation that Dalton was charged with in the warrant for his arrest held by the deputy marshal who killed him. Yet the United States prosecuting attorney in this case, Mr. Charles S. Varian, assistant United States district attorney made an exhaustive argument to prove in the very face of the United States statute that Dalton's crime was a felony. He reached that conclusion on the sole ground that punishment for unlawful cohabitation, so far as the imprisonment part of it was concerned, was imprisonment in the penitentiary, therefore an infamous crime, a felony. It was generally held in law, he contended, that crimes punished by imprisonment in the penitentiary were felonies and that in such cases officers had a right to kill if necessary in taking the man wanted, if he resisted or attempted to flee from arrest.

But the statute creating the offense, of unlawful cohabitation, and designating it expressly as a "misdemeanor," did not provide that the imprisonment should be in the penitentiary; the fact that those convicted under the law were so imprisoned, was only because being tried before a United States court, under a United States statute, and placed in the hands of the United States marshal—he had no prison other than the penitentiary under his control in which to confine them. Imprisonment in the penitentiary in these cases desig-

14. "If any male person, in a territory or other place over which the United States have exclusive jurisdiction, hereafter cohabits with more than one woman, *he shall be guilty of a misdemeanor*, and on conviction thereof shall be punished by a fine of not more than three hundred dollars, or by imprisonment for not more than six months, or by both said punishments, in the discretion of the court." (Edmunds Law, sec. 3. *Compiled Laws of Utah*, 1888, p. 111).

nated in no particular fixes the quality of the offense; and the prosecuting attorney who devoted seven columns of his eight-columned speech in an attempt to prove that unlawful cohabitation was a felony, because those convicted of the crime were imprisoned in the penitentiary, and therefore fell under the class of cases in which an officer had a right to kill in the event of an offender fleeing from arrest, added nothing to his reputation as a lawyer that day. The instructions of the court to the jury were in line with the prosecuting attorney's presentation of the law supposed to govern the case. With the prosecuting attorney and the court taking this attitude, it was not difficult for the anti-"Mormon" jury brought in on an open venire, to do the rest, *viz.*, to so interpret the accounts of the killing of Dalton as to justify the deputy marshal—and hence the verdict of "not guilty."

On the record of the first district court of Utah in this case is a crimson stain—it failed to administer justice in the case of the State vs. Wm. Thompson, for the unlawful killing of Edward M. Dalton, charged with the misdemeanor of unlawful cohabitation.

With the segregation principle in practice and the law enforced in the spirit indicated by the above described course of the federal courts in Utah, many men, and among them some of the first citizens of the community, went into exile, rather than to submit to so monstrous an administration of the law as obtained in this crusade; and from first to last these amounted to many hundreds.

At this point it will be pertinent to remark that the supreme court of the United States on the question of the plural marriage system of the Latter-day Saints being submitted to them as a solemn principle of religion, seemed not to be impressed with either the averment or the argument in support of it; for the judges set aside the contention, giving light and trite, but vain illustrations of their supposed wisdom, in support of their denial (already previously commented upon); but now, with the testimony of suffering

that was endured, the humiliations and indignities heaped upon the Latter-day Saints in support of, and defense of this, to them, sacred principle; the exiles enforced, or otherwise submission to an illegal, tyrannical, brutal, insufferable regime; to the fiendish segregation interpretation saddled upon the law by the judges and the prosecuting officers of the courts; the outrageous conduct of the desperate and often drunken deputy marshals designated to make arrests of alleged offenders against the law, and the witnesses to convict them; I refer to all this suffering—extra judicial and infamous—endured by the Latter-day Saint community of Utah and other territories of the intermountain west, as well as to the fact that more than thirteen hundred fathers and husbands who suffered fines and imprisonment rather than prove recreant to this principle which they believed and accepted as God-given—a revelation from God; and I present this evidence of suffering and the volume of it at the bar of history, and to the enlightened intelligence of humanity, and ask judgment on the point as to whether or not the plural marriage system of the Church of Jesus Christ of Latter-day Saints was to the members thereof a principle of religion. The evidence and the proof it constitutes may not be denied.

CHAPTER CLXI

LAST PUBLIC DISCOURSE AND RETIREMENT FROM PUBLIC VIEW OF PRESIDENT JOHN TAYLOR—GEORGE Q. CANNON'S ARREST

AMONG those who evaded the rigors of the crusade described in the preceding chapter were President John Taylor, his counselors, and several of the apostles. President Taylor returned from a rather extended tour of the Latter-day Saint settlements in Arizona and southern Utah in the latter part of January, and on Sunday the 1st of February, 1885, he delivered an address to the assembled saints in the Salt Lake tabernacle, which, as things turned out, was his last appearance in public, and his last public discourse. In it he reviewed conditions both in Arizona and Utah with reference to the crusade then being carried on, and advised the people to conform to the requirements of the law as far as they could without violence to their consciences, and an adherence to true principles; and to submit even to wrong, rather than resort to violence in resisting it. To the question he propounded—"what would you do?" That is in the case of these extra judicial and lawless proceedings, he answered as follows:

PRESIDENT TAYLOR'S COMMENT ON THE CRUSADE POLICY

"Would you resent these outrages and break the heads of the men engaged in them, and spill their blood? No, avoid them as much as you can. * * * What! won't you submit to the dignity of the law? Well I would if the law would only be a little dignified. But when we see the ermine bedraggled in the mud and mire, and every principle of justice violated, it behooves men to take care of themselves as best they may. That is what I have told people while I have been in the south—to take care of their liberties, to put their trust in the living God, to obey every constitutional law, and to adhere to all correct principles. But when men tamper with your rights and with your liberties, when the cities are full of spies and the lowest, meanest of men are set to watch and dog your footsteps; when little children are set in array against their fathers and mothers and women and children are badgered before courts and made to submit, unprotected,

to the gibes of libertines and corrupt men, when wives and husbands are pitted against each other and threatened with pains, penalties, and imprisonment, if they will not disclose that which among all decent people is considered sacred, and which no man of delicacy, whose sensibilities had not been blunted by low associations, would ever ask; when such a condition of affairs exist, it is no longer a land of liberty, and it is certainly no longer a land of equal rights, and we must take care of ourselves as best we may, and avoid being caught in any of their snares. I cannot think that this crusade is aimed entirely at us; from many circumstances that have transpired, I have been led to believe that whilst we are made the victims, these proceedings are introduced as a political ruse, for the purpose of embarrassing the incoming administration. What would you do? Would you fight them? No, I would take care of myself as best I can, and I would advise my brethren to do the same."¹

A NEW NATIONAL POLICY RESPECTING UTAH LOOKED FOR

In connection with the reference to "embarrassing the incoming national administration," it should be remembered that in the national election held in the preceding November, Grover Cleveland had been elected president of the United States, the first Democratic president to be elected since Buchanan in 1856—a period of twenty-eight years. For some years the "Mormon question" had been a special feature in Republican national platforms, especially since 1874. The platform of 1884 had been particularly pronounced against the "Mormon" church, pledging the party to rigid enforcement of the laws against polygamy "by the civil authorities if possible, and by the military if need be."² On the other hand the Democratic party platform for 1884 had declared that "the selection of federal officers for the territories should be restricted to citizens previously resident therein;"³ and was silent on the subject of "Mormon" prosecutions. The difference in the attitude of the two parties naturally suggests

1. *Deseret News*, weekly, of Feb. 25th, 1885, where the discourse is published in full.

2. See Cooper's *American Politics*, bk. ii, p. 75.

3. *Ibid*, p. 71. The Republican Platform of 1884 also favored the appointment to offices in the territories being made from the citizens and residents of the territories "wherein they are to serve;" but the platform designated these citizens to be so appointed, to be "*bona fide* citizens;" which meant in this case, beyond all doubt, Gentile residents and citizens. (See Republican Platform 1884, in Cooper's *American Politics*, bk. ii, p. 75).

the desire of the outgoing administration to embarrass the incoming one, as hinted in the remarks of President Taylor.

IN RETIREMENT

The night following the delivery of the discourse quoted above—1st of February, 1885,—President John Taylor and his first counselor, George Q. Cannon, went into retirement, accompanied by Elder L. John Nuttall as secretary, and Charles H. Wilcken as guard. Joseph F. Smith, President Taylor's second counselor, because of the special intensity of anti-"Mormon" feeling against him, had some time previously gone into retirement, and finally went to the Hawaiian Islands where he remained several years.

Much was made by anti-"Mormon" agitators over this retirement of the church presidency and other leading brethren of the church, apostles, presidents of stakes, and bishops; and the changes were rung *ad nauseam* on the passage of the "false shepherd" who, seeing the wolf coming, leaves the sheep, and the true shepherd who gives his life for the sheep.⁴ These critics cared nothing for the "sheepfold" they feigned was deserted, and had nothing to prompt their lamentations but the chagrin they felt at not being able to lay their hands upon the "shepherds" in question. As a polemic the outcry against the "fleeing shepherds" had no value, as both the *Old* and the *New Testament*, are replete with instances where the servants of God, and even the Christ himself, fled from their persecutors, and went into retirement to avoid the edicts of tyrants, then the laws of the countries and of the times in which they wrought their service for mankind.

ANCIENT SCRIPTURAL EXAMPLES OF RETIREMENT OF GOD'S SERVANTS

The press of the United States echoed these "false shepherd" cries of the "Utah ring" and some sectarian missionary priests of Utah, who had charged cowardice. The *San Fran-*

4. St. John x:11-13.

cisco Post said: "It is a pretty picture, this, of leaders hiding away from hardship and leaving their followers, when they should have been the first to court conviction and the dungeon for their religion's sake." The *Chronicle*, of the same city, said: "This constant hiding, however, places the apostles in a very undignified position, and probably suggests to the skeptical Mormons that there must be something wrong with their religion when it cannot shield its chief exemplars from persecution." The United States judge of the first judicial district of Utah said: "I have sometimes thought, when I have reflected upon this matter, that it would have been a peculiar state of affairs for the prophets of old to have been hiding from the consequences of their religion." Neither the papers nor the judge seemed aware of the fact that they were subjected to the following overwhelming answer:

"Moses is one of the most prominent of Biblical heroes and noted prophets. Of him it is recorded:

'But Moses fled from the face of Pharaoh, and dwelt in the land of Midian.'⁵

'Samuel the Prophet hid himself in Ramah to escape from King Saul, and when he was commanded of God to go to Bethlehem to anoint a new king, he exclaimed: How can I go? If Saul hear it he will kill me.'⁶

David, the Lord's anointed, fled from the face of Saul and hid in the cave of Adullam. On one occasion it is written: 'Michael let David down through a window, and he went and fled and escaped.' A very undignified thing for David, the prophet of the Lord and Israel's specially anointed king to be doing! The story of his hiding in various places is told in the *1st Book of Samuel*.

It is related of Obadiah, an ancient prophet and the governor of King Ahab's house: 'Now Obadiah feared the Lord greatly, for it was so when Jezebel cut off the prophets of the Lord, that Obadiah took an hundred prophets and hid them by fifty in a cave, and fed them with bread and water.'⁷

Elijah the prophet was entertained by Obadiah when he went to see King Ahab by command of God. But Jezebel made it 'so hot for him,' seeking for his life, that it is written of Elijah: 'And when he saw that, he arose and went for his life, and came to Beersheba, and left

5. *Exodus* ii:16.

6. *1 Samuel* xvi:2.

7. *1 Kings* xviii:3, 4.

his servants there, but he himself went a day's journey into the wilderness.⁸

Joseph, the reputed father of Jesus, fled into Egypt with the child and his mother, and hid there until Herod the murderous ruler was dead. The Saviour himself several times slipped through the crowd and retired to a mountain or some vessel where he could be secure, and was in hiding with his disciples watching while he prayed, when betrayed by Judas Iscariot for a reward. Saul of Tarsus, afterwards Paul, the great apostle to the Gentiles, when the Jews sought his life, was hidden by the disciples and they 'took him by night and let him down by the wall in a basket'.⁹

A PRICE OFFERED FOR THE ARREST OF GEORGE Q. CANNON

About a year after the retirement of Presidents Taylor and Cannon from public view—they in the meantime directing the affairs of the church by general epistles to the saints, by private correspondence and secret meetings with trusted brethren—a bulletin in the form of a hand bill was widely circulated and posted, offering a reward of \$500 for information leading to the arrest of George Q. Cannon. A reward, though less in amount, was also offered for the apprehension of President John Taylor. It was doubtless thought at the time that the offering of a less amount for the arrest of President Taylor than for the arrest of George Q. Cannon, his counselor, was, if possible, to make President Taylor appear depreciated, and despicable; the petty action simply revealed the bitterness and the littleness of those directing this anti-"Mormon" crusade.¹⁰

COPY OF REWARD OFFERED

"\$500.00"

"I will pay the above reward to any person for information leading to the arrest of George Q. Cannon, against whom an indictment is now pending in the third district of Utah. The names of any persons giving information will be held in strict confidence.

[Signed] "E. A. IRELAND,
U. S. Marshal."

Salt Lake City, Feb. 8th, 1886."¹¹

8. *I Kings* xix:3, 4.

9. *Acts* ix:25. The foregoing cases were cited in the *Deseret News*, weekly, of March 17th, 1886. A much more extended list of such cases were published by a correspondent. *Ibid*, April 21st, 1886.

10. See reference to the matter in signed announcement of President Taylor's death by Geo. Q. Cannon and Joseph F. Smith. (*Millennial Star*, vol. xlix, pp. 524-526).

11. *Deseret News*, weekly, Feb. 17th, 1886.

The reason assigned for singling out George Q. Cannon for this special assault was, first, that he was the "active presidency of the Mormon church;" this on account of the absence of Joseph F. Smith in the Hawaiian Islands and the great age—seventy-eight—of President John Taylor; second, the anti-"Mormons" conceded to George Q. Cannon great abilities of leadership, proclaimed him to be the "power behind the throne," and attributed to his influence the successful thwarting of their purposes, and the continuance of the resistance to the Gentile regime.¹² Of course, in all his activities President Cannon but followed the direction of his chief, and represented him. It was merely the force of circumstances—the great age of President Taylor and the prolonged absence of his fellow counselor, Joseph F. Smith, which placed upon President Cannon the duty of larger activity than would have fallen to him under normal conditions.

THE PURSUIT OF PRESIDENT CANNON

The reward of \$500 was posted immediately after an unsuccessful raid upon the farm home of Mr. Cannon on Sunday, the 7th of February, by the United States marshal and five deputies, at which time a number of witnesses were placed under bonds ranging from \$500 to \$2,000, to appear when wanted.¹³ No sooner was the reward of \$500 made than it increased the activities of the hordes of deputy marshals in Salt Lake City and vicinity.

In view of this determination to capture President Cannon it was considered prudent by his brethren to have him leave the territory; and as there was some unfinished business to close up connected with the church land purchases in

12. "It was within his [George Q. Cannon's] power," said the *Salt Lake Tribune*, defending the action of United States Marshal Ireland in offering the reward of \$500 for information leading to the arrest of Mr. Cannon—"It was within his power to have stopped all this trouble [i. e. the judicial crusade then going on]; it was he who whipped the people into their present fury to defy the laws. Surely the country ought to know the fact that the United States officers here are doing their full duty and in a most capable manner." (*Salt Lake Tribune*, impression of Feb. 14th, 1886).

13. See *Deseret News*, weekly, of Feb. 10th, 1886.

Mexico as places of refuge for those who felt themselves persecuted in the United States, he was appointed to attend to that business. Accordingly in company with Elder Erastus Snow, of the council of the twelve, and Samuel H. Hill and Orson P. Arnold, he started upon this mission, intending to go to Mexico *via* San Francisco. While passing through Nevada, however, President Cannon was placed under arrest at Humboldt station, midway through the state of Nevada—by Sheriff F. M. Fellows, of Nevada, who had been advised of four men boarding a sleeper outside of Ogden, one of whom was suspected to be President Cannon. The sheriff had some difficulty in identifying the man he sought, but finally satisfied himself and made the arrest.

United States Marshal Ireland immediately went to Nevada and took charge of the prisoner, at Winnemucca, to which point he had been brought by the Nevada officer. The question of bail was considered but the marshal demanded the sum of \$10,000 for bail, which the prisoner refused to consider,¹⁴ being excessive for bail when the charge was only misdemeanor, punishable by the law with but six months imprisonment, and \$300 fine. The prisoner consented to return to Utah without giving the marshal the trouble of suing out extradition papers.¹⁵

ALLEGED ATTEMPT TO ESCAPE

On the return journey—16th of February—when near Promontory station, about fifty miles northwest from Ogden, Mr. Cannon in the early morning—scarcely daylight—stepping to the rear platform of the train to get relief from the stuffiness of the sleeping car—claims that by a sudden lurch

14. Mr. Byron Groo, of the *Salt Lake Herald* received the following dispatch: "George Q. Cannon arrested. No bail granted." (*Salt Lake Herald*, Feb. 16th, 1886).

15. Dispatch of Marshal Ireland to United States Prosecuting Attorney W. H. Dickson: "Cannon consents to come without papers, will start in a few minutes." (*Ibid*).

of the car he lost his balance and fell from the train¹⁶—said to be going at a speed of about twelve miles an hour.

Of course the United States officers quite generally scoffed at the idea of Mr. Cannon having “fallen” from the train, and believed that the prisoner had made a mad attempt to escape. A brakeman had seen the prisoner standing on the platform, “and his opinion was that he had jumped off.”¹⁷

USE OF MILITARY POWER TO BRING IN THE PRISONER

Arrangements were quietly made in Salt Lake City by United States officials for a special train to go out to Promontory, for the prisoner and his captors. In nearly all the experiences of the Latter-day Saints there has ever been an itching desire to employ the military power against them. It was so in Missouri, it was so in the Illinois troubles, it has been repeatedly so in their Utah experiences, as abundantly disclosed in these pages. And so now.

THE MILITARY SUPPLANTS THE CIVIL AUTHORITY

Without the slightest reason for such an action Deputy Marshal Vandercook, in charge of the force of deputies in the absence of Marshal Ireland, made such representations of the “threatening situation” to General McCook in command of the garrison at Fort Douglas, that he secured the detail of twenty-seven men of Company K, sixth infantry, under command of Captain Penney and Lieutenant Shaw, to act as a special guard for the expedition to bring in the single prisoner already in the hands of the United States marshal and his deputies, and willingly consenting to return to Utah without putting his captors to the trouble of obtaining extradition papers!

16. A telegram from Mr. Frank Cannon, who hastened to his father as soon as he heard of his arrest, and joining him soon after the elder Cannon had been found walking along the track, sent the following telegraphic message to his brother:

“Promontory 2:26 p. m.

Feb. 16th, 1886.

Father slipped accidentally from the train at the Promontory and is badly bruised. Inform the folks but don't alarm them.

[Signed] “F. J. Cannon.” (*Deseret News*, weekly, Feb. 24th, 1886, p.81).

17. *Deseret News*, weekly, of Feb. 24th, 1886.

Excitement among the people of Utah existed, of course, it could not be otherwise, all the conditions considered. But that there was anything that presented the slightest indication of physical resistance to the law or its officers, is here emphatically denied. Even the organ of the anti-"Mormon" "ringites," the *Salt Lake Tribune*, in its account of Deputy Marshal Vandercook's application to General McCook for a military force can cite no case of violence, or of any preparation for violence. It is all hypothetical phraseology in which the application is justified. It is "in view of the *signs* of turbulence and the *rage exhibited* by many of the brethren, which seemed likely at any moment to break out into violence," that application was made to the military power to bring in the prisoner.¹⁸ No act of violence, no act of organization looking to preparation for violence, could be cited in justification of the appeal to the military power. It was an appeal of a coterie of men then representing the federal government in Utah, first, to please their petty vanity and increase their seeming importance and power; and, second, to awe the people into submission to their regime, and for the purposes further on to be developed in this chapter.

When starting for Salt Lake City a very unusual thing occurred. Marshal Ireland, representing the civil authority, abdicated his functions as the officer in charge of the prisoner, and turned over the whole train into the absolute control of the United States military authority, represented by Captain Penney and Lieutenant Shaw, and the squad of soldiers that had been detailed as a guard to the expedition to bring in Mr. Cannon. "All persons," said the *Salt Lake Tribune's* account "except the officers and Frank J. Cannon, were excluded from the car in which the prisoner was confined and marched into the other coach at each end of which a sergeant was stationed with orders to permit no one to enter or leave the car. Six soldiers then filed into the apartment in which

18. See *Salt Lake Tribune*, daily, of 17th Feb., 1886.

Mr. Cannon was lying and were stationed around him."¹⁹ On seeing this military display the prisoner asked Marshal Ireland "if the military power had taken preference over the civil," but to this inquiry received no satisfactory answer.²⁰ Thereafter any questions that were asked respecting the journey, or the coming or going from one car to the other, as well as the presence of newspaper reporters, were referred to Captain Penney.

The scene in the car upon the military taking possession of it was thus gloatingly described and commented upon by the *Salt Lake Tribune's* account of the incident:

"The scene in his (Cannon's) car was most dramatic and suggestive, and could it have been witnessed by the ranting leaders of the church who are endeavoring to emulate their captured chief, would have afforded them food for reflection for many days to come. The trembling, moaning, disfigured object, whose terrified gaze met nothing but grim soldiers and loaded muskets, was the man who, under the cloak of religion, for years had defied the laws of his country and has claimed to exercise greater authority than the government those soldiers represented. It was a picture that should have been impressed on the mind of every blind bigot and roaring fanatic of the Mormon church."²¹

Malice, and despicable hate, could not go beyond this in gloating over a helpless opponent.

MARSHAL IRELAND'S FEARS

Marshal Ireland seems to have been a very timid man; for on the 16th, before the arrival of the special train and the troops in Ogden, he expressed fear that there would be a demonstration and perhaps violence on the prisoner arriving at Ogden, and claimed to have received word to that effect. Whereupon, President George Q. Cannon, to quiet his fears, sent the following dispatch to Richard J. Taylor, son of President John Taylor, and a prominent citizen of Ogden:

19. *Salt Lake Tribune*, daily, of 18th of Feb., 1886.

20. *Deseret News*, weekly, of Feb. 24th, 1886, p. 87.

21. *Salt Lake Tribune* of 18th of Feb., 1886.

"Promontory, Feb. 16th.

R. J. Taylor: Marshal Ireland is apprised that there is danger of tumult in Ogden. This would be bad. Will arrive tomorrow morning.
[Signed] "GEORGE Q. CANNON."

At Promontory, President Cannon received the following answer:

"Ogden, Feb. 16th, 1886.

President George Q. Cannon:

Everything quiet in Ogden. Tell Marshal Ireland there is no danger of any tumult here.
[Signed] "L. W. SHURTLIFF,
R. J. TAYLOR."²²

Mr. Shurtliff was president of the Weber stake of Zion in which Ogden is located, and had signed the dispatch with Mr. Taylor, no doubt, to make the assurance of the peace status at Ogden doubly sure.

UNDER BONDS

The journey to Salt Lake City was made without accident, or further incident.

Arrived at the depot the soldiers filed along the platform as if there were apprehensions of danger. It was an unnecessary precaution as none of President Cannon's friends contemplated any resistance to the law or its officers. The prisoner was taken immediately before the third district court and gave, first a bond of \$25,000 to appear in the case against him for unlawful cohabitation; then two more warrants—in pursuance of the segregation policy of the prosecution, naming different dates on which the same offense was committed—were produced on which the prisoner was required to give bail in the sum of \$10,000 in each case, making the total bail required for the offense of unlawful cohabitation \$45,000—for a misdemeanor! So named in the law creating the offense—the Edmunds law (section 3)—the extreme penalty for violation of which was six months imprisonment and a fine of \$300!

22. Both dispatches will be found in *Deseret News*, weekly, of Feb. 24th, 1886.

CHAPTER CLXII

A CHAPTER OF COMMENT: THE REAL STRUGGLE POLITICAL NOT RELIGIOUS

IT WAS in the United States of America, in the closing decades of the 19th century that such scenes as are described in the two preceding chapters occurred, and in which such a policy was pursued. Of course it is but fair to say that those conducting this crusade claimed to be guided by the purest patriotism, by the most disinterested motives. It was not their purpose to persecute anybody! Far from it! They sought only to protect the monogamous home, the bulwark of the national life, the chief corner stone of the republic; they only desired to see the national law submitted to as supreme, "that the full sovereignty of the republic should be vindicated and reestablished." "There is no vindictiveness in this crusade," said the *Salt Lake Tribune*, "though a great deal has been charged. There is no wish that any Mormon shall be injured in person or property, the skulking charge that a sinister motive is behind the demand that the laws shall be supreme is but the gibberish of knaves and fools, but the determination that this business shall stop is growing more and more fixed daily."¹

SELF-ASSERTION OF ANTI-"MORMON" PURITY OF PURPOSE

Later the same organ said:

"They [the 'Mormon' polygamists] ought, like sensible people, to remember that there is no desire on the part of any here or elsewhere to harm them one penny's worth in property; there is no desire for benefits through any misfortune to them; there is no wish to persecute them; but there is a fixed determination that they shall obey the laws of the country, and so the machinery of the courts are [is] set in motion against them for the same purpose and in the same spirit that the men of the north a quarter of a century ago were organized into armies and moved against the south. It was not for plunder; it was not for vengeance; it was simply that the laws of the republic should be enforced

1. *Salt Lake Tribune*, of Feb. 12th, 1886.

and that the full sovereignty of the republic should be vindicated and reestablished."²

The quoted passages above, I think, state the case of the "crusaders," as they would desire to appear in history. Yet it is difficult to believe that all this disinterestedness, all this patriotism, all these lofty ideals were without some alloy. Such idealism,—such saintly sweetness, in fact, this hungering and thirsting for the establishment of the righteousness of "Mormon" life and the supremacy of law—is a little incompatible with the character of the men engaged in the crusade. While not in any way inclined to answer railing with railing, or charge with countercharge, yet the truth cannot be blinked that if from first to last a list were to be made out of the names of the would-be reformers of the "Mormon" people, and their characters were exposed, so that they stood fully and fairly revealed, it would be no flattery to the civilization, to the patriotism, to the Christian morality they claimed to represent, in contradistinction to the supposedly "different civilization," "patriotism," and "morality" of the Latter-day Saints.

THE REAL CAUSE OF THE UTAH CONFLICT

The coterie of men who plotted against the peace of the Latter-day Saints, and sought through these later years to destroy the last vestige of local self-government, in the name of preserving the purity of the American home, were, in many cases, and it is safe to say in the majority of cases, not exemplars of that chastity they in this struggle affected, nor, indeed, of a character in their daily walk and conversation that gave any confidence that they had any really deep concern about the "purity" of the American home.³

2. *Daily Salt Lake Tribune*, of Feb. 16th, 1886.

3. "It is firmly believed by many that plural marriage is the cause of our persecutions," wrote President Joseph F. Smith, March 10th, 1886, "and if abandoned by us, we would have no cause to fear any further persecutions. The present crusade is not a struggle against plural marriage alone, nor in the interest of morality. Quite the reverse. It represents a despotism of the most grinding character, for the destruction of every vestige of local self-government. And it works by falsehood, fraud, trickery, usurpation, and tyranny, while its battle cry against 'polygamy' is created

Honorable individual exceptions to this arraignment of the anti-“Mormon” “crusaders” are cheerfully and gladly conceded; but they are exceptions. For the rest, the indictment for hypocrisy, sex immorality, indifference to the purity of the home, on the part of the “crusaders,” stands. Their concern about the alleged evils of polygamy was mere pretense.

The real cause of this anti-“Mormon” crusade was a fight for the political control of Utah on the part of the “crusaders.” Their souls were vexed with the thought that although they held the chief places in the executive and judicial departments of the territorial government, by appointment of the president of the United States, they and their factotum following had no voice in the legislative department, no control of the people’s treasury, they could not hope under existing conditions to be elected to the local offices still within the gift of the people, of which there were between two and three thousand; and they were not the leaders in local community thought and power. From the first the federal appointees, with a very few honorable exceptions, made war upon the Latter-day Saints—who were the people of Utah, constituting an overwhelming majority of the people of the territory—about eighty percent in the period under consideration—for these offices and this local domination.

Here it is important to present the evidence of the relative numerical strength of the church membership with non-members in its chief gathering place—Utah.

In its report to the secretary of the interior, the Utah Commission, created by the Edmunds law and placed in control of the election machinery of the territory, said: “The present population [i. e. of Utah] is estimated at 160,000, about four-fifths being Mormon.”⁴ The Utah legislature two years later stated the population to be

to deceive, and repeated and echoed to mislead. ‘It is simply a *ruse de guerre* to hide the brutal villainy and outrageous hypocrisy of the whole infamous plot.’” (Letter to *Deseret News*, weekly, of March 31st, 1886, p. 168).

4. Report of the Utah Commission of April 29th, 1886, transmitted to President Arthur, May 6th, 1884, 48th Congress 1st Session, *Executive Document*, No. 153.

85 per cent "Mormon" and 15 per cent Gentile; and seven-tenths of the voters to be "Mormon" and three-tenths Gentile.⁵ In this connection is set down a compilation of Utah statistics made from the census of 1880, by Utah's delegate in congress and used by him in a speech against the Edmunds-Tucker bill, that is instructive and disproves the claims so persistently made by anti-"Mormons" to the effect that Utah's population, chiefly "Mormon," as shown above, was foreign born:

"Another unfounded slander [said Mr. John T. Caine, Utah's delegate to congress] spread abroad most industriously by our enemies, is the charge that the population of Utah is largely made up of foreigners, who are ignorant and unfit to be citizens of the United States. What do the statistics prove? According to the census of 1880 the total population of Utah was 143,963. Of this number 74,509 were males, and 69,454 females—the males outnumbering the females by 5,045. Of the total population 99,969 were native born, and only 43,994 foreign born. There were 52,189 native born males and 44,780 native born females; and the foreign born males were 22,320, and the foreign born females 21,647. While the proportion of the foreign born population of Idaho is 44,062 to 100,000; of Wisconsin, 44,548; California, 51,217; Minnesota, 52,168; Dakota, 62,117; Arizona, 65,798; Nevada 70,065; in Utah it is only 44,062."⁶

On the same occasion the delegate from Utah pointed out the fact that of all the states and territories in the Union there were but "thirteen showing a lower percentage [than Utah] of total population who could not read." Connecticut having the same as Utah, 3.37 percent.⁷

The proof that the chief effort of the anti-"Mormon" "crusaders"—generally the federal appointees and their Gentile associates who hoped to profit by the success of their schemes—was to seize the whole territorial government by destroying the people's control of it—that "pelf" not "purity" was their aim—is supplied by the pages of this *History* dealing with the progressive record of this controversy; and

5. Utah Legislature's Memorial to Congress, *Congressional Record*, 10th of April, 1886.

6. *Ibid.* for 13th of Jan., 1887, house proceedings.

7. *Ibid.*

by the fact that in these last stages of the controversy the "crusaders" were seeking for the universal political disfranchisement of the Latter-day Saints, and the utter destruction of the local government of Utah territory by the substitution for it of a legislative commission form of government, with all the local officers heretofore elected by the people—or appointed by agencies created by them—made appointive, from which, of course, all "Mormons" would be excluded. By way of summary, however, let the following facts be recalled:

The usurpations of Governor Eli H. Murray in the attempt to appoint many, in fact most, of these officers under the Hoar amendment to the Edmunds law of 1882; and his repeated recommendations of the commission form of government, with its enlargement of the appointing power of the governor or the president. See also the repeated recommendations of the Utah Commission in its reports to the department of the interior, recommending that the United States commissioners be given concurrent jurisdiction with justices of the peace, in matters civil and criminal; also suggesting that the law give power to the governor or district judges to appoint "certain territorial and county officers which under the existing law were elective."⁸ Also their approval of the Edmunds-Tucker bill, making the county probate judges and school commissioner appointive.⁹ Governor West also in his report to the secretary of the interior of October, 1886, recommended the same legislation, and called attention to the fact that a long list of officers which the then pending legislation would make appointive had been filled by the recent August election, and their terms were for two years. "If the bill," said the governor (Edmunds-Tucker bill), "is to become a law—as it should at the coming session of congress—it ought to provide for vacating the offices, that

8. *Report of the Utah Commission* of April 29th, 1884.

9. *Report of the Utah Commission* of Sept. 24th, 1886, in *Deseret News*, weekly, October 27th, 1886.

*they may be filled [by appointment] in accordance with its provisions.”*¹⁰

THE ONLY COURSE LEFT TO THE PEOPLE OF UTAH

In the presence of such an issue as this what was left for the Latter-day Saint community to do? They must either contend for their rights or surrender them. By surrendering them they would have proved themselves possessed of the slavish nature charged against them by the “crusaders,” which neither then nor since has been acknowledged by the rank and file of the Latter-day Saints, any more than by their leaders. Such obedience as they gave to the counsel of their leaders was the act of free men moved by conviction that the thing required, the policy outlined, was for the best good of all. With a brave, strong people there was but one thing to do in the issue forced upon them by the “crusaders,” and that was to contend for the full measure of their rights. This both people and leaders resolved upon, and hence the fight for the political control of Utah. On the part of the people it was their objective to keep as large as possible the sphere of local self-government—extend it if possible—and administer the government by officers elected by the people, or appointed by agencies created by the people’s legislature. In this policy the people of Utah and their leaders were united. The solidarity of the Latter-day Saint community was not the result, as claimed by their opponents, of priestly domination. It resulted from a common understanding of the situation. It was the only thing for them to do in a struggle for the maintenance of their political rights—a veritable struggle for community existence.

OBJECTIVE OF THE ANTI-“MORMON” “CRUSADERS”

On the part of the “crusaders” the objective was to enlarge the federal authority, to increase the sphere of its

¹⁰. Governor’s Report is copied in *Deseret News*, weekly, of October 27th, 1886.

control of things political by enlarging the scope of authority and increasing the number of the federal appointees; and finally, also, to abolish, if possible, the local government altogether, and institute new forms of government rooted in arbitrary power, and giving as bloom and fruitage the monarchical spirit rather than the spirit of Americanism, strong in its confidence in the ability of the people for self-government, and the inherent power of self-correction of evils that ever accompanies the idea of ability for self-government. The Latter-day Saints—practically the people of Utah—had the advantage of community solidarity, what they called, when it was touched by religious fervor, the unity of the saints. The anti-“Mormon” “crusaders” had the advantage of an appeal to the national prejudice against supposed religious “heresy,” especially when the “heresy” took on the character of what they were made to believe was a menace to the American home. Also the “crusaders” affected with great success the roll of patriots struggling for the preservation of the very fundamentals of the republic. For the most part they were excellent examples of Dr. Johnson’s declaration that patriotism is the last refuge of scoundrels. This language may be thought severe. Especially in view of the changed conditions now—1930—and for some years past in Utah, over forty years removed from the period of bitterness and injustice under consideration. I am treating of the decade of 1882-1892, portraying the spirit of those times with such fidelity to truth as I may possess. It matters not that there has been a change wrought with the passing years, a better understanding had on the part of individuals on both sides of the controversy discussed. But I am concerned at this point of my work with the events and the spirit of the above decade, and fidelity to the truth of history requires no less than the statement here made. The actions of men, like the facts of events, are peculiarly alike in this, that they admit of no denial in history. Let regret, and repentance do what they may, the acts of men remain of record—

"The moving finger writes; and, having writ,
Moves on: nor all your piety nor wit
Shall lure it back to cancel half a line,
Nor all your tears wash out a word of it."

That is what is meant when men speak of the inexorableness of history. "History will vindicate us," say the men confident of the rectitude of their own intentions, desires, ambitions, or actions; so, too, men may be assured history will condemn them when their aims and ambitions are unholy and vicious. Before the bar of history as before the bar of God the actions of men will lie in their true light, and they themselves, "in the very teeth and forehead of their faults must give in evidence."

Be it understood, furthermore, that I am dealing with the "crusaders" here, not with the majority of the non-"Mormon" population of Utah or Idaho or of Arizona; but with that active minority of non-"Mormons," both politicians and such of the sectarian priests as joined with them in this crusade. That these priests did join in the political hue and cry against the civil and political rights of the people of Utah, the Latter-day Saints, admits of no question. At a Presbyterian convocation of ministers and sectarian school teachers in the mission service of that church in Utah, held early in April, 1886, resolutions were adopted by that body respecting a Washington, D. C., dispatch to the effect that no further legislation was needed for Utah because of the work which the churches and schools were accomplishing. Respecting this the convocation recommended—"First, that this statement be declared unwarranted by the facts and calculated to do great mischief. Second, that while the Christian churches and schools are doing a most salutary work, which is increasing in power every year, there is still great need of radical legislation by congress."¹¹ At this convocation there were eighteen ministers, chiefly from Utah, but some were from Wyoming and Nebraska; there were also sixteen teachers

11. *Deseret News*, weekly, of April 7th, 1886.

in attendance all engaged in the sectarian "reform work" in Utah.

About this time also Bishop Tuttle of the Episcopal church, who before and afterwards said many kind words for the "Mormon" people, now went over to the radicals and said concerning polygamous "Mormons"—"make it hot and still hotter for them until they are *forced* to yield to our demands."¹² As early as 1882 the bishop of Utah and Idaho joined with seven other prominent sectarian priests, R. G. McNiece, D. L. Leonard, L. A. Rudsill, J. M. Coyner, G. D. B. Miller, E. Benner, and T. B. Hilton in issuing an address "To the Patriotic Citizens of America," in which this statement occurs:

"While it is true that a large proportion of the adult population are of foreign birth, and are generally ignorant and unlearned in regard to those things that fit them to be intelligent citizens of a free government; it is also true, as we believe, that under proper training they would in time become liberty-loving, patriotic citizens, as they are now industrious and economical. But they are so controlled by the Mormon leaders that until this power is broken by some means, there is no hope that Utah will ever be in harmony with the rest of the Union. We fully believe that the welfare of Utah, as well as that of the nation, demands that the political power of the Mormon hierarchy be at once effectively and permanently broken." The best means of doing this they proposed to leave to statesmen.¹³

THE SAINTS DEFENDED IN CONGRESS

It has already been said that the affected concern of the "crusaders" about sex morality and the preservation of the purity of the American home was mere pretense. As Mr. John T. Caine, Utah's delegate in congress said upon the floor of the national house of representatives, when speaking against the passage of the Edmunds-Tucker bill—

"It is our ecclesiastical and not our moral polity that is aimed at—that is sought to be overthrown. The men who are here from Utah, clamoring for the disfranchisement of the 'Mormon' people, who insist that every office within the territory shall be vacated and filled by appointees, that even our selectmen, who make the assessments

12. *Ibid.*, of April 14th, 1886.

13. *Hand-Book of Mormonism*, Coyner, 1882, last page, but one.

of property, and the tax collectors shall give way to non-'Mormons,' are not afraid of the contamination of their own or their families' morals. They know as all the world knows, that a purer, more orderly, upright, God-fearing and God-serving community does not exist upon the earth than the exclusively 'Mormon' settlements of Utah. It is simply because the minority cannot, under a Democratic American form of local government, rule the majority that these men are here clamoring for our disfranchisement."

The Utah delegate a little later said:

"I tell you Mr. Speaker, I tell you solemnly, that in the United States, in the whole world, there is no people more loyal to the eternal truths of liberty, as expressed in the Constitution of this country, than my constituents; and there will come a time, a time when the mists which now befog the understanding of the American people and its legislators, when the refuge of lies erected by characterless charlatans shall have been swept away—there will come such a time, when my words will stand forth marked clear and bold and untarnished as their truth justifies."¹⁴

THE THREAT OF VIOLENCE

This crusade, then, in the light of the facts here considered, was an effort to depose the "Mormon" leaders, a condition precedent to the installation of the coterie of "crusaders" into leadership. It was a course, however, which drove the Latter-day Saints into a closer union, and to a solid support of their leaders in a struggle for the full measure of their rights, both as religionists and citizens of the republic, a struggle for their very community existence. Then this solidarity, resulting from their policy, is declared to be a menace to free government, and must be given up by the Latter-day Saints or dire consequences are to follow. Sometimes these consequences were presented in very threatening terms of a most aggravating form by the organ of the "crusaders," as witness the following in an editorial:

"The pope of Utah [i. e. referring to President John Taylor] should in his underground retreat, read thoughtfully one sentence in the late letter of the pope of Rome to the Spanish bishops. It is this: 'I would strongly impress upon you that, although politics are based upon religion, you must not engage in politics.' When the pope of Utah sends a message like that out to the shepherds of his flock, the

14. *Congressional Record* of 13th of Jan., 1887, house proceedings.

troubles here will nearly all pass away. The interfering with politics in Illinois is what cost Joseph Smith his life; the anger which is caused by all the thousands of Mormons in Utah voting solidly as directed, will never cease until that rule shall be relinquished. It is a menace to free government which Americans will never submit to. When it grows dangerous enough, if no other remedy can be found, *the one resorted to in Illinois will be invoked again.*"¹⁵

As the "remedy" resorted to in Illinois was the assassination of some of the church leaders and the expatriation of the Latter-day Saints as a body, the threat of the anti-"Mormon" organ, was decidedly vicious.

WAS AN EXODUS OF CHURCH LEADERS INVITED

A little before this, about the time of George Q. Cannon's arrest, the *Tribune* manifested both its desire and its willingness to get rid of the "Mormon" leaders in another way, that of withdrawal to some other country. Some rumor evidently had reached the "crusaders" of the purchase of lands by the church in Mexico, and Canada, about this time, for colonization purposes, and what they heard brought forth the following gleeful suggestion through the anti-"Mormon" organ:

"It seems to be generally understood that the polygamists here who are bound to continue the practice are quietly preparing to make a home in a foreign country. If this is really the fact, why would it not be better for the chiefs to communicate the fact? If it really has been determined to seek rest under another government, why not let it be known at least to the authorities? We do not know the fact, but judging by the sentiments which we think govern, *we believe that a truce of six months might be agreed upon in which prosecutions would cease if the chiefs of the organization would but say it was their intention to leave the country with such of their people as were determined not to obey the laws. On the same ground we believe that those in prison might be pardoned out.*"

Then after saying that the determination that plural marriage shall stop is growing more and more fixed daily, this follows:

15. *Salt Lake Daily Tribune* of June 3rd, 1886; and *Deseret News*, weekly, of June 9, 1886.

"If the chiefs realize this and have determined that a movement of the 'keys' from Zion is necessary, we are sure, if they will but make that purpose known, every advantage will be offered them to carry out the laudable undertaking. If this really is the arrangement why is not a hint given to the present legislature [then in session] to pass the necessary laws to make this region to conform to other portions of the republic? They could be made to take effect six or eight months after their approval. This would stop all the trouble and there would not, we presume, be any vetoes interposed to harrow up the souls of the saints. If the arrangement has not been quite perfected, would it not be the wise thing to perfect it? What hope is there for the chiefs? Do they expect to continue indefinitely as they now are? Do they expect to spend the rest of their lives either skulking, and hiding, or in prison? *Do they expect to keep their people in apprehension and despair until the law finally attacks their property and leaves them penniless?* What hope have they in persisting in remaining here and defying the laws."¹⁶

This was before the arrest of George Q. Cannon in February. After his arrest and return to Salt Lake City the *Tribune* took up again the matter of the withdrawal of the leaders from Utah to some other country, much in the same spirit as in the above paragraph. "If on their own account," says the editorial, "they are unwilling to do this, they ought for the sake of the peace and prosperity of their brothers in the faith, to do it."¹⁷

In all this the reader may see the deep anxiety of the "crusaders" for the departure of the leaders of the Church of the Latter-day Saints, that Utah might be left a world for them to bustle in as leaders. Or was it the hope that an exodus from Salt Lake might afford another Nauvoo opportunity for plunder?

NOTWITHSTANDING

Notwithstanding the federal courts of Utah were sending men to prison daily, and with little ceremony, so easily were convictions to be had under the then interpretations and administration of the law;—

Notwithstanding the rule was in unlawful cohabitation

16. *Salt Lake Daily Tribune* of Feb. 12th, 1886. *Italics* are mine—the lines so written indicate the trend of the thoughts of the "crusaders."

17. *Salt Lake Tribune*, impression of 16th of Feb., 1886.

cases for the extreme penalty of fine and imprisonment—six months imprisonment and three hundred dollar fine¹⁸—to be imposed on the victims of “the law”;—

Notwithstanding in what were considered aggravated cases the segregation policy could be resorted to by which the penalty of the law could be augmented to three and four times that amount of penalty—and in a number of cases was so augmented;¹⁹—

Notwithstanding the possibilities of increasing the punishment by that policy were well-nigh without limit;—

Notwithstanding the deputy marshals could, or at least did, arrest witnesses on warrants—not subpoenas—and place them under bonds to appear before grand juries and trial courts, and when they refused to testify—even as to matters confessedly not essential to the establishment of the crime—sexual intercourse—the judges could, or at least did, send them to prison;—

Notwithstanding the courts could, or at least did, compel wives to testify against their husbands;—

Notwithstanding the federal judiciary of the territory had special funds appropriated by the federal government to employ a large force of deputy marshals, United States commissioners and assistant prosecuting attorneys, to carry on this crusade;—

Notwithstanding that it was possible for the federal officers to put a price upon the heads of prominent churchmen,

18. This sentence of extreme penalty for the violation of this law, fell with such regularity that it was with grim humor spoken of by the victims as the “six by three” size of punishment, abbreviated finally to the symbol of “6 by 3,” which if one did not get he was jestingly regarded only as an inferior hero of the times by his fellow prisoners of the “6 x 3” class.

19. See Jenson's *Church Chronology*, from 16th of September, 1885—when the policy was presented to the grand jury of the third judicial district, by Judge Zane, and by Judge Powers to the grand jury of the first judicial district on the 23rd of the same month,—to the 7th of Feb., 1887, when the segregation policy was overthrown by the supreme court of the United States. Between those two dates a number of such cases as are referred to in the text are given in the long list of trials and convictions there recorded. Eight such “victims” were languishing in the Utah penitentiary under this illegal segregation regime when relieved by the decision of the United States supreme court; and ten had to be so released from the Detroit, Michigan penitentiary to which place they had been sent to serve their prison term. (See *Church Chronology*, date of 7th and 8th, and 9th of Feb., 1887, pp. 143-145).

against whom their animosity was especially aroused, thus giving encouragement for deputy marshals *enforce* to repeatedly raid the homes and the offices of these men;—

Notwithstanding that in addition to the large numbers that were daily being sent to prison and fined, and more by the extra judicial administration of the law were driven into exile;—

Surely all this would have been sufficient to have suppressed polygamous marriages and polygamous living in a short time. “But is it polygamy that is aimed at?” asked Utah’s delegate to congress on the floor of the house when the Edmunds-Tucker bill was under discussion. “If so,” he continued, “why not give the laws already enacted and so vigorously, nay so ruthlessly enforced, an opportunity to work out their legitimate effects? If they will not extirpate polygamy, surely no legislation of a kindred character ever will. If you are impatient and must have quicker results why not act upon the declaration of an assistant attorney-general of the United States, who deliberately said that it would have been an act of mercy to have put all grown-up Mormons to the sword.”²⁰

Finally, notwithstanding a veritable “*reign of judicial terror*” had been created by this unwarranted procedure, which made Utah more resemble some Russian province where suppression of freedom was in progress than a political subdivision of the republic of the United States—the Utah “ringites,” including the federal officials, were not satisfied with their powers, but sought for more, through further special congressional legislation. Hence through these first years of the crusade, described in the two preceding chapters—from its beginning under the Edmunds law—1883—to the passage of the Edmunds-Tucker bill in February, 1887—the anti-“Mormon” “ringites” were industriously agitating the country for the passage of more stringent legislation, especially in-

20. *Congressional Record* of Jan. 13th, 1887, house proceedings.

sisting that the legislation demanded should provide for the government of Utah by a legislative commission which meant, of course, the disappearance of the last vestige of local self-government in the territory. The determination was to supplant "home rule" by "carpetbag rule."

PASSAGE OF THE EDMUNDS-TUCKER BILL

The result of this anti-"Mormon" clamor for further special legislation was the passage of the Edmunds-Tucker bill; which, infamous as it was, fell very far short of being as vicious and infamous as the measures sought for by the Utah "ringites" and the anti-"Mormon" agitators throughout the United States.

It constituted polygamy as a continuous offense under the title of "unlawful cohabitation." It created a federal returning board to take charge of the re-registration and all the election machinery of the territory. It abolished woman suffrage. It also abolished the Emigration Fund Company; and also dissolved the church as a corporation. It escheated in large part the church property and established an odious test oath for voters. It also abolished the Nauvoo Legion.

NAUVOO LEGION ABOLISHED

All the laws of the "Provisional State of Deseret," and the territory of Utah, relative to the organization of the Nauvoo Legion and the militia of the territory were annulled; provision was made that the militia be organized and subject in all respects to the laws of the United States regulating the militia in the territories; *provided*, that all general officers of the militia shall be appointed by the governor of the territory, by and with the advice and consent of the council thereof, but the laws passed by the legislature for the organization of the militia were to be subject to the approval of congress.²¹

21. See Edmunds-Tucker Law, *Compiled Laws of Utah*, 1888, pp. 114-125.

The implication of the section relating to the militia, is that the organization of Utah's militia under the name and title of the Nauvoo Legion was *not* "organized and subjected in all respects to the laws of the United States regulating the militia in the territories;" and this is a very unjust and untruthful implication; for Utah's militia of the early years of the territory was organized strictly in harmony with the laws of the United States, then in force on the subject, and held itself subject to those laws. Prejudice existed against its name, and also against the idea of the existence of a citizen soldiery in the commonwealth which might have some suspicion of sympathy with the people.

This bill was received by President Cleveland, but was not returned by him to the house of congress in which it originated (the senate) within the time prescribed by the Constitution of the United States, it became a law therefore without his signature, and went into effect March 3rd, 1887.

It was the last act of anti-"Mormon" legislation passed by the congress of the United States against Utah. While one rejoices that such an act became a law without the signature of the president of the United States, one can only regret that Grover Cleveland did not veto such a purely un-American thing.

CHAPTER CLXIII

RESISTANCE TO ANTI-"MORMON" AGGRESSIONS

ALL this invasion of the rights of American citizens by judicial decisions, and congressional enactments; all these thrusts at the rights of an American community to self-government, were not submitted to by the Latter-day Saints without protest and strenuous effort to prevent the inroads being made. In the first place at the annual conference of the church held at Logan in April, 1885, the first presidency of the church in an epistle addressed to the conference from their retirement called attention to the fact that the male members of the church living in the practice of plural marriage represented but about two percent of the entire membership of the church. "And we consider it an act of great injustice to the ninety-eight percent," said the president, "to be abused and outraged, and have all their business relations disturbed, values of every kind unsettled, neighborhoods agitated and alarmed, and the property of the people generally jeopardized, because of this 'raid' upon these alleged breakers of the law."¹

AN ADDRESS TO THE PRESIDENT AND PEOPLE OF THE UNITED STATES

In view of this statement of the epistle the conference appointed a committee to draft resolutions and a protest to the president of the United States, and to the nation, setting forth in detail the wrongs the people of Utah had suffered, and were still suffering "from the tyrannical conduct of federal officials," and "asking for the same treatment to which other citizens of the United States were entitled."² This com-

1. See epistle in Minutes of April Conference, *Millennial Star*, vol. xlvii, pp. 290-296.

2. *Ibid*, pp. 296-297, where the resolution in full and the names of the committee—twenty-two in number—will be found.

mittee reported to a mass meeting held in the great tabernacle on 2nd of May, 1885. The tabernacle was crowded to its capacity—from seven to eight thousand people. John T. Caine, Utah's delegate to congress, acted as chairman of the meeting. The statement of grievances and protest of the conference-appointed committee were supported by strong speeches from many prominent elders of the church and finally passed unanimously with enthusiasm by the great mass meeting. This statement of the grievances of Latter-day Saints extended beyond the borders of Utah and was made to cover Idaho and Arizona also, where abuses similar to those in Utah were being perpetrated on the people. "In Utah, Idaho and Arizona," said the statement, "concerted assault is made upon the 'Mormon' people."

SUMMARY OF STATEMENT

"Spotters dog their footsteps. Delators thrust themselves into bedchambers and watch at windows. Children are questioned upon the streets as to the marital relations of their parents. Families are dragged before commissioners and grand juries, and on pain of punishment for contempt, are compelled to testify against their fathers and husbands. Modest women are made to answer shamefully indecent questions as to the sexual relations of men and women. Attempts are made to bribe men to work up cases against their neighbors. Notoriously disreputable characters are employed to spy into men's family relations. Contrary to good law, persons accused of crime are held to be guilty until they prove themselves innocent. The burden of proof rests upon the accused instead of upon the accuser. Trial by jury in the territories is no longer a safeguard against injustice to a 'Mormon' accused of crime. Accusation is equivalent to conviction. Juries are picked to convict, and if they fail to find a verdict against the accused when he is a 'Mormon,' insult and abuse are heaped upon them by the anti-'Mormon' press. Men, fearful of not obtaining justice in the courts, are avoiding arrests, believing no fair and impartial trial can be had under existing circumstances."

"These are our grievances," said the document, "now hear our protest:"

PROTEST

"We protest against unfair treatment on the part of the general government.

We protest against a continuance of territorial bondage, subversive of the rights of freemen and contrary to the spirit of American institutions.

We protest against special legislation, the result of popular prejudice and religious interference.

We protest against the conscience of one class of citizens being made the criterion by which to judge another.

We protest against the tyranny of federal officials, and the continuance in office of men who disgrace their positions and use their official powers as a means of oppression.

We protest the partial administration of the Edmunds law—the punishing of one class for practicing their religion, and exempting from prosecution the votaries of lust and crime.

We protest against the breaking up of family relations formed previous to the passage of the Edmunds law, and the depriving of women and children the support and protection of their husbands and fathers.

We protest against the prosecution of persons, many of whom are infirm and aged who entered into plural marriage before it was declared a crime and never violated any law.

We respectfully ask for the appointment by the president of a commission to fairly and thoroughly investigate the Utah situation and pending its report we solemnly protest against the continuance of this merciless crusade.”³

ACTION UPON THE STATEMENT OF GRIEVANCES

A committee of three, John T. Caine, Utah's delegate to congress, John W. Taylor, a member of the council of the apostles, and a son of President John Taylor, and John Q. Cannon, son of George Q. Cannon, were chosen as a delegation to present the statement of grievances and protest to the president of the United States. Mass meetings for the ratification of this protest against injustice were held in all prominent towns and cities of the Latter-day Saints, in the three territories where the injustice complained of obtained, and in every case the statement and protest was unanimously adopted.

PRESIDENT CLEVELAND ON THE MEMORIAL

On the 13th of May the committee appointed by the

3. The statement of grievances, protests and synopsis of speeches, etc., will be found in *Deseret News*, weekly, of May 6th, 1885, pp. 244-5. A complete report was published in pamphlet form at the time, but the pamphlet is now rare. Copies, however, are on file at the Church Historian's Office, Salt Lake City.

mass meeting at Salt Lake City, waited upon President Cleveland, at the White House in Washington.

An account of the interview was sent out by the Associated Press and appeared in practically all the newspapers of the country in part as follows:

"The president listened courteously and attentively, to the address and upon its conclusion, said: 'Well, gentlemen, so far, of course, as the Edmunds law is concerned, I had nothing to do with that. Of course it is my duty to see that it is enforced, as well as all other laws. You are entitled to fair consideration and to have the law impartially administered, as you have asked, and, so far as any appointments which I shall make are concerned, I will endeavor to give you a character of men who will see that the law is impartially administered. I hope soon to be able to get at these matters, but it will require a little time.'

The president's face broke into a smile as he concluded, 'I wish you out there could be like the rest of us.'

'All we ask,' rejoined Mr. Caine, 'is that the law shall be impartially administered.'

'You are entitled to that,' said the president; 'and, so far as I am concerned, I shall see that it is done. I will give these matters my attention as carefully as possible'."

The statement and protest was later introduced into the United States senate by Seth M. Blair, of Missouri.⁴

Unfortunately to President Cleveland's smilingly expressed wish—and having in mind, of course, the question of plural marriage—that the saints "could be like the rest of us," some overzealous Latter-day Saints gave a sinister meaning, when clearly none was intended on the part of the president.⁵

So far as known the "Statement of Grievances and Protest" did not affect the course of events in Utah, or in the other territories, Idaho and Arizona; but it did bring before the country through the press an account of the injustice being perpetrated in administering the Edmunds law in Utah.

CONTESTS BEFORE THE SUPREME COURT OF THE UNITED STATES

Before the supreme court of the United States a contest

4. A full report of their interview with President Cleveland, signed by the committee, was submitted to the tabernacle congregation on the 31st of May, and is published in full in the *Deseret News*, weekly, of June 3rd, 1885, p. 316.

5. See a communication to the *Deseret News*, weekly, of June 3rd, 1885.

also waged for the rights of the people. The vicious judicial policy of segregation in respect of the misdemeanor of unlawful cohabitation was brought before that tribunal in the Lorenzo Snow case. His was the first case sentenced under the segregation policy. His fines in the three cases for the same offense, amounted to \$900; and his terms of imprisonment to eighteen months, having been given the extreme punishment on each count. An appeal was taken to the territorial supreme court. This on the 6th of February, 1886.

The Snow case involved two points; first, the legal definition of the term "cohabitation;" and, second, the segregation of the single offense into many by division and subdivision of the time through which the offense ran. The supreme court of the territory sustained the definition of cohabitation of the lower court, namely, that "the offense of cohabitation is complete when a man to all outward appearances is living and associating with two or more women as his wives!" sexual relations not a necessary element of cohabitation and cohabitation with the legal wife assumed.⁶

The supreme court of the territory also, had unanimously sustained the segregation policy followed in the trial court in the two other sentences.⁷ Thirty days in all were allowed for preparation of an appeal to the supreme court. An effort was made to have the case advanced on the United States supreme court calendar, but this could not be done while the defendant was at liberty under bonds. On learning this Lorenzo Snow voluntarily went to prison that the case might be advanced, as a number of others, as well as himself, were interested in having these points of the law settled.⁸

After hearing arguments in the case the supreme court decided on May 10th that it had no jurisdiction in the cases

6. The opinion of the court in full will be found in *Deseret News*, weekly, of Feb. 17th, 1886, pp. 66, 67.

7. See review of this decision in *Deseret News*, weekly, of 24th Feb., 1886, pp. 86-87.

8. See *Deseret News*, weekly, of March 17th, 1886, p. 137.

and dismissed them. The court had previously, but at the same term, considered the Angus M. Cannon case, involving some of the same points as the Snow case, but the question of jurisdiction had not been raised. It was raised, however, by the supreme court itself, in the Snow case, and the Cannon case was recalled and dismissed as well as the Snow cases for want of jurisdiction.⁹ This caused great rejoicing in the anti-"Mormon" "ringite" camp, as it left the Latter-day Saints charged with unlawful cohabitation entirely at the mercy of their persecutors.

"The rejoicings which are had over the decision of the upper court," said the *Deseret News*, editorially, "show that fair investigation is what the promoters of the raid upon the 'Mormons' least desire. They gloat over the opportunity which it assures of unchecked assaults upon the liberties of the people of Utah. It settles no point of law, it does not say that the Utah courts are right in any particular, but it leaves an unpopular people to the onslaughts of their persecutors in the name of the law, without appeal to a proper tribunal. Those who can rejoice over such a condition of affairs are not to be numbered among the magnanimous of the earth, and their names would be sadly out of place in the list of the just."¹⁰

The Snow case was again taken to the supreme court on a writ of *habeas corpus*, to release the defendant from an illegal imprisonment for the segregated cases; and on the 7th of February, 1887, the procedure of the Utah courts was reversed, and the segregation policy, conceived in malice, and vindictively executed, came to an end.

The decision of the supreme court is severe in its implied censure of the Utah courts. On the segregation of Snow's single offense into three the court said:

9. *Washington Post Dispatch* of May 10th, 1886. See also editorial *Deseret News*, weekly, of May 26th, 1886. For decision see *United States Supreme Court Reports*, 118.

10. *Deseret News*, weekly, May 26th, 1886.

"The division of the two years and eleven months [into three periods] is wholly arbitrary. On the same principle there might have been an indictment covering each of the thirty-five months, with imprisonment for seventeen years and a half, and fines amounting to \$10,500; or even an indictment covering every week, with imprisonment for seventy-four years, and fines amounting to \$44,400; and so on, *ad infinitum*, for smaller periods of time. It is to prevent such an application of penal laws, that the rule has obtained that a continuing offense of the character of the one in this case can be committed but once, for the purpose of indictment or prosecution, prior to the time the prosecution is instituted."¹¹

The strong speech of Mr. Caine, against the passage of the Edmunds-Tucker bill has already been referred to, as manfully resisting the passage of the bill which so far invaded the rights of the people.¹² Of the same character was the dignified Memorial of the Utah legislature of March, 1886, against the injustice of the absolute veto power of the governor, which was presented to the house of representatives on the 19th of April, 1886.

STATEHOOD AGAIN

An effort was made to escape the annoyances of this seemingly irrepressible conflict between the people of the territory and the anti-"Mormon" "ringites"—chiefly federal officeholders—by another effort to obtain statehood for Utah. This in midsummer of 1887. All polygamists had now been disfranchised in Utah, and it was thought that a convention made up of those who could take the form of oath prescribed for electors by the Utah Commission—completely eliminating polygamists—could draft a Constitution that would be acceptable to congress and to the people of the United States. Accordingly, a constitutional convention assembled in Salt Lake City on the last day of June, 1887, and taking a Constitution adopted by a previous convention as a working basis, by the 7th of July, a draft of a Constitution was completed for submission to the people at the ensuing general election, to be held on the 1st of August. The Con-

11. *United States Supreme Court Reports*, 120. See also *Deseret News*, weekly, Dec. 1st, 1886, p. 732.

12. See *Congressional Record* of 13th of January, 1887.

stitution thus submitted received 13,000 votes in its favor and less than 500 against it.

The chief hope of its acceptance by congress consisted in the fact that it contained a provision—section 12, article xv—inhibiting, and operative without the aid of other legislation, bigamy and polygamy. The offense was not barred by statute of limitation under three years, and not pardonable without the approval of the president of the United States. Section 2 of article xvi provided that there should be no amendment or abolishment of this provision without the consent of congress.

The *Deseret News* commenting on the insertion of the anti-bigamy and polygamy section of this Constitution of 1887, said:

“It has come to be a matter of certainty in the popular mind, that Utah cannot be admitted into the Union as a state, without some constitutional provisions against practices about which the country has been much misinformed and unduly excited. Former efforts for statehood without such provisions have been treated with the coldness that arises from reference to a committee which usually freezes over with silence on the subject. * * *

The provisions in regard to bigamy and polygamy, which are unusual in state constitutions, have been inserted as a political necessity arising from a peculiar condition of affairs requiring political settlement.”¹³

The Constitution was presented to congress and representative citizens appeared before congressional committees in advocacy of its passage; the senate committee on territories to whom the Constitution and accompanying Memorials had been referred finally reported adversely to the admission of Utah, and was discharged from further consideration of the subject.¹⁴

REGRETTABLE INCIDENTS IN THE UTAH CONTROVERSIES

The foregoing were all honorable and dignified methods of resistance under the law to the invasion of the people's

13. *Deseret News* of July 13th, 1887.

14. This on 16th of March, 1888, see *Congressional Record* of that date, senate proceedings.

rights. I wish no other methods had been adopted; but that is too much to expect, perhaps, in a community controversy so long continued, so bitterly waged, and carried on by mortal men. These things considered, it is matter of astonishment that there are so few regrettable incidents on the side of the Latter-day Saints to chronicle. Among these, however, was one utterly execrable. I have reference to the hurling of "filth pots" into the homes of United States District Attorney Wm. H. Dickson, United States Commissioner William McKay, and Assistant United States District Attorney Chas. S. Varian. The outrage occurred about one o'clock on Sunday morning, September 13th, 1885. The missiles were two quart glass jars filled with human excrement, and several of them at each of the above named residences were thrown through the windows or the transoms into the houses. Mr. Varian was absent from home at the time, and Mrs. Varian alone with five children was greatly alarmed by the crash of breaking glass when her home was assaulted. Unfortunately the persons who perpetrated this outrage escaped discovery. Naturally the United States officials whose homes were thus assaulted and desecrated, and the Gentile population generally, charged the "Mormons" with the outrage. The "Mormon press" insisted at the time that it was a vile trick on the part of the anti-"Mormons" to bring odium upon the Latter-day Saint community, and perhaps precipitate a crisis in their affairs. Arguing that the "Mormons" could receive no possible advantage from such a dastardly assault, while it would make martyrs of the officials, "in a small way, at but little personal expense to themselves," and would make "their official seats more secure," "Mormon" editors reached the conclusion that anti-"Mormons" were guilty of that Sunday morning atrocity.¹⁵

Of course since the parties who were guilty of the loath-

15. The heading of the *Deseret News* account of the affair was sensational and embodied the above idea, see impression of Sept. 16th, weekly, 1885. For editorial comment see same impression, p. 553; also *Ibid* September 23rd, p. 567.

some act were never found out, speculation is idle and one opinion may be as good as another, but this should be said of it, if it was the work of members of the Church of the Latter-day Saints, the deed was a disgrace to them, to all who had guilty knowledge of it, or who were in any degree responsible for the conception of it, or the carrying of it out. It was the deed of a low-bred mind, of a depraved understanding. Unhappily there are such characters that attach themselves to every cause however exalted. It was an act which in no way could affect conditions only to make them worse; and as an expression of resentment towards these United States officials, perniciously active as they were in the anti-"Mormon" judicial crusade, it was as cowardly as it was loathsome.

A COUNTER OFFENSIVE

Another regrettable thing done on the part of the Latter-day Saints, and growing out of the sense of unfairness attending upon the administration of the federal laws by the federal officials, led some overzealous men, officers of the city government, then entirely in "Mormon" hands, to arrange by a system of secret espionage on such characters in the city as resorted to places of prostitution, and by prosecution of them make, at least, public exposure of their crimes. It was believed that many prominent in prosecutions of polygamy and unlawful cohabitation cases would be entrapped.

Great consternation prevailed in certain quarters. It was rumored, and was matter of press comment, that "the anti-'Mormon' element had become wild with excitement, and wondered where the lightning would strike next. Many vague rumors were afloat, as to a list of from four to six hundred offenders being in the hands of the city officers, and there were more blanched cheeks and shaking knees than Salt Lake has ever before contained, notwithstanding the assertion regarding the anti-'Mormon' purity."¹⁶

16. *Deseret News*, weekly, Nov. 25th, 1885.

Really there should have been no complaint made by the Latter-day Saints at this distinction; for it was fitting that those who were seeking, under divine sanctions, to renew a feature of honorable marriage clearly approved of God among his people in ancient times, should not be placed, even by their enemies on a level with those universally recognized as guilty of gross sex immorality, by the practice of promiscuity. This was matter for congratulation rather than of complaint.

HALF MASTING OF THE FLAG INCIDENT

On the 4th of July, 1885, an unfortunate circumstance occurred in the half masting of the national flag, at the City Hall by some of the city's officers, and by other parties at the Salt Lake county courthouse; also at the Salt Lake Theater, Z. C. M. I. Building, *Deseret News* Office, Church Tithing Office, the Gardo House—the residence at the time of President John Taylor; at the temple, and the tabernacle. There was of course no intention in any way to dishonor the flag. Placed at half mast it is an emblem of mourning; and as the community was then terrorized by a cruel mal-administration of the law against the Latter-day Saints, as subsequent reversals and condemnations of the procedure by the supreme court of the United States and the dismissal of federal officers by the national administration attest—it was evidently a time of mourning for the Latter-day Saints in Salt Lake City, who constituted the majority of her people; and the city officers thought themselves justified in thus expressing that sorrow. Such the explanation of the city marshal, Mr. Wm. G. Philips—"half masting of the flag expressed the feelings of the majority of the citizens."¹⁷

As soon as the half masting of the flag became known among the non-"Mormon" part of the citizens great indignation and excitement arose, and angry crowds gathered at the City Hall and at the Z. C. M. I. store where for a time riot

17. *History of Salt Lake City*, Tullidge, p. 885.

threatened. A committee of citizens consisting of United States Marshal Ireland, Major Wilkes,—who was an ex-confederate soldier—Captain Evans, and C. L. Haines, went to the City Hall and demanded to know the reason for the flag being at half mast. Nobody knew except that Marshal Philips had ordered it to be so placed. The mayor and marshal, being in attendance at a meeting at the Salt Lake “Mormon” tabernacle, were sent for, and on arriving at the City Hall the marshal took full responsibility for the half masting. After consultation had with the committee the flag was taken down, but later in the day it was raised to the head of the staff by order of the mayor, Hon. James Sharp. A request by the offended citizens was sufficient to cause Sheriff Groesbeck, at the county courthouse, to order the flag raised to full mast. The flag at the Salt Lake Theater was raised to full mast early in the day, so too was the flag at Z. C. M. I. At the other places enumerated above it remained at half mast throughout the day.

When word of the event was brought to the G. A. R. encampment being held that day in the suburbs of the city, fiery speeches were made, equally warm resolutions passed demanding that the flag be raised to full mast. It was claimed that the governor had telephoned to General McCook for military assistance, but that the general refused to interfere, judging that there was no necessity for such action.¹⁸ So the incident closed except for some inconsequential mass meetings that followed. One held at the Methodist church, at which Governor Murray spoke; and one held by the general public in the federal court room.¹⁹

It was thought that a conflict over the question of half masting the flag would come up again on the twenty-fourth of July, as that was Utah’s Pioneer Day, and it was the custom to celebrate the day—would it be done by half masting the flag?

18. See *History of Salt Lake City*, Tullidge, pp. 885-6. and *Deseret News*, weekly, of July 8th, 1885.

19. *Ibid*, July 22nd.

Such representations were made to the press of the east that the question of "Mormon" loyalty was very generally discussed. From Salt Lake City appeals were made to members of the G. A. R. to ex-confederate soldiers, and to men in the mining camps to come to Salt Lake City on the 24th of July to prevent what was alleged would be an intended insult to the flag by half masting it on that occasion.

"The ex-confederate soldiers," said the local announcement in the *Salt Lake Tribune* of this meeting, "are talking of holding an indignation meeting here on the 24th inst., to express their views on the insult offered to the flag on July 4th by the Mormon church in this city."

"The federal court room has been obtained, the railroads have agreed to give half-fare rates from Park City, Ogden and the mining camps, and the hotels such reasonable rates as to make it an object. The sentiments of the ex-confederates are to be embodied in the form of resolutions to be sent to the southern states and congressmen, politicians and newspapers in that section * * * It is a good move, and for another reason. There is talk on the streets to the effect that on the 24th—'Pioneer's Day'—the Mormons intend to drape the flag in mourning and float it at half mast. That would be a good day for the presence in this city of two or three thousand old soldiers, federal and confederate. It would probably result in a speedy and effectual settlement of the whole Mormon business, for with such men here in force the nation's flag would not be insulted with impunity."²⁰

Such representations were made to President Cleveland as to the prospect of a riot in Salt Lake City that he gave orders on the 17th of July to General O. O. Howard, in military command of the west, to station divisions of the army along railroad lines at points from which they could readily be rushed into Salt Lake City in case they should be needed. The Lincoln Post G. A. R., Butte, Montana, on the 18th of July, on the strength of reports from General Howard and "information from comrades of the G. A. R., resident in Salt Lake City," made tender of service to Governor Murray of two companies "A" and "B" of that post, numbering

20. *Salt Lake Tribune*, July 10th, 1885.

“eighty strong,” “armed, uniformed and equipped,” and “every man of them a veteran.”²¹

THE WHOLE NATION HALF-MASTED THE FLAG ON JULY 24TH, 1885

On the part of the Latter-day Saints the most formidable function planned for that day in Salt Lake City was the meeting of a mammoth Sunday School convention in the tabernacle.²² Things looked ominous; but strangely enough the United States flag throughout the United States, as also in Utah, was at half mast that 24th day of July, 1885; for ex-president of the United States, and national hero, U. S. Grant, at Mt. McGregor, New York, after a lingering illness, died at 8:08 on the morning of the 23rd of July. Everywhere throughout the nation the flag was placed at half mast; and the threatened crisis in Utah passed without a conflict.

THE McMURRIN-COLLIN AFFAIR

About this time, near the close of the year 1885, another incident occurred which produced great excitement in Salt Lake City. This was the McMurrin-Collin affair. Joseph W. McMurrin, a young night watchman at the Church Tithing Office was coming through an alleyway north of the old Social Hall, on State street—the alley cutting in two the block between South Temple and First South streets—when he suddenly came in contact with Deputy United States Marshal Henry F. Collin. It was about 7:30 p. m. when the men met, and being the 28th of November, it was dark by that time. The two men had previously had some words on the occasion of the deputy marshal subpoenaing witnesses in connection with the case against young McMurrin's father

21. *Butte Miner*, Montana, 19th July, 1885.

22. After reviewing the many warlike preparations that were under way for the 24th of July in Salt Lake City, the *Deseret News* in an editorial said: “But the 24th will be a holiday, having been made so by law. The occasion will be used as a fitting opportunity for a Sunday School Jubilee, the program for which has been arranged by assistant superintendent of the Sunday School Union—Brother George Goddard.” (*Deseret News*, weekly, of July 29th, 1885, p. 439).

for unlawful cohabitation. Meeting thus suddenly in the dark, McMurrin as he recognized the deputy marshal struck at him, when the latter dodging the blow and having his pistol in hand, placed it against McMurrin's abdomen and fired twice, both shots taking effect. After this the men sprang apart, the deputy marshal running eastward up the alley, in which he lived, and McMurrin staggering westward out of the alley and thence a few rods northward where he sank down at a gateway between two residences, helpless but conscious. To a man passing—William Lloyd, a shoemaker on his way home—he called for help, telling Lloyd he was shot. The latter started to the police station near by for help and met officers who had heard the shooting running in the direction of the firing. The wounded man was taken to the City Hall, and as he was supposed to be dying he made a statement which he signed setting forth the above facts in the case.²³

The deputy marshal's story was that to avoid three men standing near the Social Hall entrance he crossed to the north side of the alley where he encountered McMurrin with the result stated.²⁴ Collin claimed that some five or six shots were fired besides those which he fired at McMurrin, presumably, according to his version of the affair, by those men near the Social Hall whom to avoid he crossed the alley and met McMurrin.²⁵ The latter, in his supposedly dying statement, said that he returned the fire of the deputy marshal.²⁶

Such the story. On the one side it was regarded as an

23. The statement will be found in *Salt Lake Tribune* of Dec. 17th, 1885, in an account of *habeas corpus* proceedings for the release of Collin. Also in *Deseret News*, weekly, of Dec. 23rd, 1885.

24. Collin had been assaulted on the street a few days before this—on the 10th of November, by Deputy Sheriff Andrew Burt, for which the latter had been fined \$25 in the police court, and hence Collin's apprehensiveness that led him to carry his pistol in his hand, ready for instant use. This assault on Collin grew out of his charging Burt with being a "spotter" against the federal officers. (*Deseret News*, weekly, of November 18th, 1885).

25. See report of the case in *Salt Lake Tribune* for Nov. 29th, and Dec. 1st, 1885.

26. "Put down that I returned that fire in the excitement, but then I guess I missed him." (*McMurrin's* (supposedly) *Dying Statement*).

attempted murder by a deputy marshal at an accidental meeting in the alleyway; on the other it was the waylaying of a faithful officer of the law by a gang of "Mormon thugs" to take his life.

The important thing about the incident is its influence upon the affairs of the community. For ridiculous as it may seem the matter became a national incident—a matter for municipal investigation; of a report to the president of the United States; of sending additional United States troops to Utah; of establishing a provost guard in Salt Lake City to keep the peace.

On the 1st of December, two days after the McMurrin-Collin incident occurred, the *Salt Lake Tribune* had said:

"We seriously think that, in addition to perfecting measures of self-defense, the Gentile should *en mass* petition the president to place the territory under martial law, and give some discreet, just, and brave soldier the position of military governor, and back him with such force as may be necessary to command peace and to enforce the laws."

There was no petition *en mass* made to President Cleveland, but Governor Murray, Marshal Ireland, and United States Assistant District Attorney Varian made representation to President Cleveland that there was danger of a "Mormon" uprising; that the property and lives of non-"Mormons" were insecure; that military protection was necessary. Under these representations a battery of artillery was sent from Omaha to strengthen the military force at Camp Douglas. The announcement of this "action" produced a very hysteria of delight in the *Salt Lake Tribune*, the anti-"Mormon" organ, which proclaimed the coming of this battery under the following headlines:

"GOD REIGNS!
AND THE GOVERNMENT AT WASHINGTON STILL LIVES!
IT WILL GIVE PROTECTION TO ITS OFFICERS AND
CITIZENS
A COMPANY OF TROOPS TO BE STATIONED IN THE CITY.
A BATTERY OF ARTILLERY *EN ROUTE* FROM OMAHA."²⁷

27. *Salt Lake Tribune*, heading of December 5th, 1885.

About the same time it was announced that a provost guard of forty-five men under Captain Charles G. Penney of Company K, sixth infantry, would be stationed in the central part of the city. The guard established its station in the city on the 7th of December.

These representations to the national authorities and their results aroused the indignation of the city authorities, since they slandered the good name of the city and brought reproach to the whole community. The city council at once proceeded to an investigation of the charges of insecurity of non-"Mormon" property and lives with a view to the refutation of the slanders. The council first telegraphed Utah's delegate in congress, Hon. John T. Caine, asking him to represent to President Cleveland that no excitement existed in Salt Lake City, and that the military measures were uncalled for. Utah's delegate gave the dispatch of Salt Lake City's mayor to the Associated Press, and it was sent out from Washington to all the papers of the country as follows:

LETTER OF SALT LAKE CITY'S MAYOR TO DELEGATE JOHN T. CAINE

"Salt Lake City, Utah, Dec. 7th.

To Hon. John T. Caine, House of Representatives, Washington, D. C.

We understand that representations have been made to President Cleveland that there is danger of an uprising on the part of the 'Mormons'; that the property and lives of non-'Mormons' are insecure, and that military protection is required. The city council is making an official investigation and have invited both the federal and military officials, and all others having information bearing on the matter to appear and testify. The investigation has proceeded, and was enough to demonstrate the utter falsity of these rumors, and that no foundation exists for them in fact. A battery of artillery arrived from Omaha today, and a company of troops is quartered in the city, ostensibly to protect citizens and property. Represent the matter fully to President Cleveland and immediately, stating that no excitement exists, and that these measures are uncalled for and entirely unnecessary. The property and personal safety of all citizens are perfectly secure.

[Signed] "JAMES SHARP, Mayor of Salt Lake City, Utah."

Delegate Caine conveyed this information, and more

as the investigation proceeded at Salt Lake City, to President Cleveland.²⁸

The next move was for the city council in special session, December 5th, to determine upon an investigation of the rumors of threatened lawlessness in the city, and to this end a communication was sent to a large number of federal officials, including Governor Murray, Secretary of the Territory Arthur L. Thomas, Marshal Ireland, United States Assistant District Attorney C. S. Varian, the military authorities at Fort Douglas, and many prominent gentlemen of Salt Lake City, inviting them to attend said investigation, and to furnish the city council any information concerning the rumors "affecting the peace and welfare of the city" that might be in their possession. All these invitations were declined.²⁹

The inquiry was prosecuted vigorously, and such rumors as had taken definite form, and were reported to the city officials, were refuted. Among these was the gathering of armed men into the city:

GENTILE FULMINATIONS

"That armed men lined the road to the penitentiary for the purpose of taking United States Deputy Marshal Collin from the custody of the United States officers;

That threats were made to lynch Collin after the shooting of McMurrin;

That quantities of arms and ammunition were secreted in general tithing storehouses;

That the Mormons were arming themselves and organizing under the direction of their leaders, and that in the outer settlements they were held in constant readiness to reach at a moment's notice Salt Lake City."

The whole review of conditions ended in the adoption of the following resolution:

CITY COUNCIL'S DENIALS

"Be it resolved by the mayor and city council of Salt Lake City, that the reports or rumors of any condition of affairs other than of the

28. Two letters sent to the president on the subject from Delegate Caine will be found in *Millennial Star*, vol. xlviii, pp. 20-22 and 69-70.

29. All these communications will be found in Tullidge's *History of Salt Lake City*, pp. 88-9.

most peaceful character prevailing at the present time in this city, are false.

That at no time in the history of this city have the lives and property of its non-'Mormon' inhabitants been more secure than now.

That the reports to the contrary have been accredited and circulated by federal officials of this territory for some purpose best known to themselves.

That to the extent they or any others have circulated these false reports abroad, they have defamed the city and injured its people."³⁰

Of the original parties to this McMurrin-Collin incident, Collin was released on bail on the 16th of December; and in the month following, after several days examination before Commissioner McKay, he was discharged from custody and later left the territory. Joseph W. McMurrin, though so seriously wounded, and having dictated and signed what was thought to be his dying statement, he did not die. His recovery was regarded as miraculous by his friends. Attendant surgeons and the physicians from the first thought his wounds would prove fatal. But he was visited by two of the twelve apostles of the church, John Henry Smith and Heber J. Grant, the latter now (1930) president of the Church of the Latter-day Saints. They anointed him with oil and blessed him with the laying on of hands—the ordinance of the church for the healing of the sick—and they promised him recovery, and life and health. He speedily recovered, regained perfect health, and is now (1930) still alive, a member of the first council of the seventy in the church, and active in missionary duties.

30. All the official documents in the case will be found in Tullidge's *History of Salt Lake City*, pp. 887-891.

CHAPTER CLXIV

THE GENERAL CONFERENCE OF THE CHURCH CHANGED FROM
SALT LAKE CITY—G. A. R. CAMPFIRE IN UTAH—A CHANGE IN
THE NATIONAL ADMINISTRATION

WHAT resistance could be made to the growing hostility of the anti-“Mormon” minority group of Utah? To the triumphant, though not yet satisfied minority of political adventurers; also what of the sectarian plotters against a rival but successful faith and church which neither their logic nor their interpretation of scripture, nor their supposed “superior” Christian spirit and behavior could make headway? In the legitimate fields of persuasion and even of just opposition to the New Dispensation, they stood defeated and helpless, and confessedly so, and hence the unholy alliance with political adventurers. These sought, by national enactments to invoke physical forces to seize upon—to their own advantage—the government of the people; and the sectarian plotters hoped to see humiliated and crushed the faith and church they could not prevail against by moral suasion and spiritual forces. Yet, what may be invoked by way of counter resistance to these unfair opponents? Not much may be done by the Latter-day Saints, for their means are limited and not formidable; but such as they are it is to their credit that they used them, for resistance to oppressive measures, however feeble, is at least an evidence of virility and heroism. And this is what the church authorities did, though at some sacrifice to their own people and to some of themselves, through affecting the welfare of business institutions with which they were connected.

CHANGE IN THE PLACE OF HOLDING L. D. S. GENERAL CONFERENCES

The general conferences of the church, annual and semi-annual, during the troubled years of 1885 and 1886, and the April conference of 1887, were held in other places than

Salt Lake City. Two were held in Logan, two in Provo, and one in Coalville, Summit county.

This action on the part of the church authorities was met with loud protests from the Gentile merchants of Salt Lake City. Indeed, judged by the loudness of the out-cry, protest, and lamentations of non-“Mormon” business houses over the event, the blow struck was not so feeble as might be supposed. At these annual and semi-annual conferences the Salt Lake merchants, Gentile as well as “Mormon,” reaped a regular annual and semi-annual harvest of trade. Literally thousands of people, many of them from the remotest settlements of the saints, not only in Utah, but from the whole intermountain west came regularly to Salt Lake City to do their spring and fall shopping, induced thereto by the reduced railroad rates for the conference. Hence great disappointment and vexation was felt and expressed by the Gentile merchants when this *coup* was adopted by removing the conference to other places than Salt Lake City, which resulted in very few from the outside settlements coming either to the conference or to trade.¹

GRAND ARMY OF THE REPUBLIC PASSES THROUGH SALT LAKE CITY

In 1886 the Gentile population of Salt Lake City, or at least the leaders of the anti-“Mormon” crusade among them, took advantage of the passing of the large eastern companies of the Grand Army of the Republic through the city, *en route* for San Francisco—where the great G. A. R. encampment was to be held that year,—to hold “campfires” in a large skating rink in the heart of the city. The meetings began on the evening of the 24th of July, 1886, and were held also on the evening of the 29th, 30th and 31st of July; also on the first of August. At the meeting of the 30th of July, General John A. Logan, of national fame, delivered a really great speech on the character and power of the American government.

1. *Millennial Star*, vol. xlvii.

The anti-“Mormon” local “crusaders” supplied the texts to such speeches as were made by the visitors; and a bitter anti-“Mormon” flavor was imparted to each campfire gathering—hatred and rage chiefly characterized what was said. Nearly every speech by a local man—in every instance a federal officeholder or local missionary of one or the other of the Christian sects—urged the use of the influence of members of the G. A. R.—said then, 1886, to have a membership of 500,000—on their return home, to bring to pass more stringent anti-“Mormon” legislation, preferably the disfranchisement of the whole “Mormon” people, or the establishment of a legislative commission form of government for the territory; and if these measures were to fail, then to invoke the military power to destroy the “Mormon” church. There was scarcely any legislative or military extravagance that was not invoked by the local anti-“Mormon” “crusaders,” and in turn pledged by the G. A. R. visitors. One of the mottoes which decorated the hall in which the meetings were held, and several times commented upon, was—

“OUR LOYAL PEOPLE WELCOME THE COUNTRY’S VETERANS”

From which “loyal people” it was quite generally agreed, the “Mormons” were excluded. General Beaver, of Pennsylvania, said in his speech, “It was something new to him, this intimation that a portion of the people were disloyal. * * * The idea of disloyalty conveyed by the motto made the heart of every man who had worn the blue beat as it had not done for twenty years!” “If there was a disloyal organization that defied the government,” he continued, “then it was the duty of every man who wore the blue to step forward and assist in putting down that organization.”

Chaplain Jackson, of Fort Douglas, in a speech delivered a few minutes later, assured him there was such an “organization in Utah.”

The United States district attorney for Utah, Mr. Dickson, declared in one of the campfires that “The Mormon

church was steeped in disloyalty. * * * One of its prime purposes was the overthrow of the American home. The people who are the adherents to the church were steeped in disloyalty. * * * He had it from good authority that when Lincoln was assassinated and the news reached here (i. e. Utah) that Brigham Young, then governor, (sic!) could not repress his exultation.² * * * The authorities of the church are disloyal, and why should the nation hesitate to wrest from these disloyal citizens the ballot? There is nothing un-American in it³ * * * We [i. e. the Gentiles, I do not know if Mr. Dickson had any right to speak for them] do not ask for any offices; we only ask that the power be taken away from the Mormons. We can never reach the root of the evil here, until the civil power is taken from them. All we ask is for congress to take the government. The Gentiles are willing to have the ballot taken from them. They are willing for congress, or a commission appointed by the president, to rule. This would not give the Gentiles the power. The only successful measure will be to strike the civil power from the Mormon people.”⁴

All which sounds very like the pleading of the mother of the dead child, before King Solomon, for the cutting in two of the live child; Mr. Dickson would consent to have the right of local government slain, to sacrifice the Gentile right of suffrage, if only the federal government would take away the political rights and power of the Latter-day Saints.

General Maxwell, local anti-“Mormon” attorney, and member of the local G. A. R. organization, and formerly United States marshal for Utah, “warned the visitors that the G. A. R. post [at Salt Lake] would see to it that they

2. The revamping of an old slander many times refuted. (See this *History*, chapter cxxiv).

3. This was before the passage of the Edmunds-Tucker law, which did in effect the things here urged by Mr. Dickson.

4. See *Salt Lake Tribune*, July 29th, 1886, impression of *Deseret News*, weekly, of Aug. 4th, 1886.

[the visiting posts] kept their promises to put Mormonism down."⁵

THE INCOMING OF A NATIONAL DEMOCRATIC ADMINISTRATION

With the advent of a national Democratic administration in 1884, a somewhat radical change had been looked for in the administration of Utah affairs, by a change of federal officers. The Democratic party's principles place more emphasis upon the right of the local community to self-government than Republican party principles do; the Democratic platform of 1884 had contained no anti-"Mormon" plank, and had declared in favor of choosing federal officers for the territories from "among citizens previously resident therein."⁶ But the party was also pledged to "honest civil service reform," and this was something of a hobby with President Cleveland. The army of place hunters in Washington, therefore at the inauguration of the first Cleveland administration, "were disappointed. * * * For the time being, office hunting was deliberately discouraged."⁷

It was President Cleveland's policy to make no changes in the appointments of his predecessor except for gross misconduct or the expiration of the terms for which they were appointed. In the case of the Utah federal appointments another reason, no doubt, operated to make the changes slower, *viz.*, a too hasty dismissal of those who had been extremely zealous and active in suppressing polygamy and polygamous living would subject the administration to the charge of favoring the "Mormons" and "Mormonism," for

5. *Deseret News*, weekly, Aug. 4th, 1886; also *Salt Lake Tribune* of the same period.

6. See Democratic Platform for 1884, Cooper's *American Politics*, bk. ii, p. 71. The Republican Platform contained a similar passage respecting federal appointees in the territories, but was immediately followed by a strong anti-"Mormon" plank. (*Ibid*, p. 75).

7. *History of the United States*, Bryant, Gay & Brooks, vol. v, p. 554. "Civil service reform, notwithstanding serious drawbacks, made substantial progress during President Cleveland's term." (*Ibid*, p. 565).

which there was no compensating gain since the "Mormons" possessed no political power, to affect national parties for good or ill. The anti-"Mormon" "crusaders" in Utah appreciated this fact and recklessly increased the bitterness of the judicial crusade and their general anti-"Mormon" course, confident that the administration would not dare invite the censure of public sentiment by removing them.

This policy, however, the federal officials in Utah followed too far. In his dealings with the 1886 legislative assembly, the 27th, of the territory, among many other bills vetoed by him, Governor Murray vetoed the general territorial appropriations bill, which very greatly interfered with the administration of government in Utah in all its departments. The legislature had been in session for sixty days; 88 bills had been introduced in the house and 46 in the council. Of these 62 were passed and sent to the governor, who vetoed 15 of them, 10 he ignored, which was equivalent to vetoing them, and 37 received his sanction.⁸ Four days after vetoing the appropriation bill Governor Murray was practically dismissed from office by the administration at Washington, through the secretary of the interior, telegraphing under date of 16th of March, 1886, for his resignation.⁹

Governor Murray's chief reason for vetoing the general appropriations bill, as set forth by himself in his veto message, was that the money would be subject to disbursement by the territorial treasurer and accounted for by the territorial auditor, whom he insisted were not legal officers, not being appointed in the manner prescribed by the organic act of the territory—which question was then pending before the supreme court of the United States.

"This bill," said Governor Murray in his veto message, "contemplates the continuance in authority of the present usurping incumbents of the offices of territorial auditor and

8. For summary of bills and the fate that befell them see *Deseret News*, weekly, of March 24th, 1886, p. 155.

9. Both dispatches will be found in the *Deseret News*, weekly, of March 24th, 1886, under the caption—"Kicked Out!"

treasurer, and to permit the disbursements of the public moneys through these agencies.”¹⁰

The rest of the message was a glorification of his own course of action while governor of the territory—and his determination to bring Utah into harmony with the national law, etc. The governor was well aware that great inconvenience would ensue to the territorial government from this action, it would “suffer for want of funds necessary to carry it on;” but he indicated what he doubtless thought might be done to avert catastrophe, what his hope was, and what would further his purposes in taking from the territorial treasurer and auditor the handling of territorial funds, *viz.*, that congress may appropriate the moneys collected here, and disburse them through agencies chosen by itself. Instead of this course being followed, the governor’s resignation was demanded.

While vetoing the general appropriations bill was the immediate cause of asking for Governor Murray’s resignation, it was not the only reason. Misrepresentation of the alleged threatened uprising of the “Mormons” against the federal government, sent out from Salt Lake City by Governor Murray and his anti-“Mormon” associates had quite as much to do with it according to the Washington correspondent of the *New York Herald*. “The president has been fully advised,” said that correspondent, “in regard to Murray’s conduct, and he was perfectly satisfied that in his veto of appropriations he was not actuated by worthy motives. Since Murray sent sensational telegrams to Washington in the early part of December, representing the imminence of an uprising by the Mormons, the president has been convinced that he was unworthy of confidence.”¹¹

Under date of March 10th, John T. Caine, Utah’s delegate in congress, wrote President Cleveland very fully

10. The message will be found complete in *Deseret News*, weekly, March 24th, 1886, p. 145.

11. *New York Herald* quoted in *Deseret News*, weekly, of March 31st, 1886, p. 168.

respecting these matters, and his letter must have been convincing to the president since the demand for his excellency's resignation followed six days later. The delegate forwarded with his letter of the 10th the official report of the municipal council of Salt Lake City, denying the charges of the likelihood of riot and of prospective "Mormon" uprising in Utah. "I am sure that you will be convinced, after reading the official report of the city council," said Mr. Caine, "that the federal officials grossly misrepresented the character of the 'Mormon' people, and there was not a scintilla of truth in the statements they made to you of danger to life and property at the hands of lawless men inspired by 'Mormon' leaders."¹²

Naturally, on the side of the Latter-day Saints, the demand for the resignation occasioned rejoicing; on the part of the anti-"Mormon" "ringites," it occasioned dismay; for Governor Murray served their interests with fidelity, and the demand for the resignation was unlooked for, and, from their standpoint, undeserved.

OTHER DISMISSALS—POWERS, IRELAND, DICKSON, *et al*

Other changes in Utah federal officials soon followed. Judge O. W. Powers had for some time officiated as United States district judge, in the first judicial district, though his appointment had not been confirmed by the United States senate. His nomination had met with such pronounced opposition from his political opponents in Michigan, from which state the judge hailed, that President Cleveland on the 12th of April withdrew his nomination, apparently to avoid refusal of confirmation of his candidate by the senate. The fight against the judge was independent of the "Mormon question," and the reasons urged for his rejection were based on his conduct before coming to Utah. But as he had taken an extremely anti-"Mormon" attitude in respect of the anti-polygamous prosecutions, especially as to the segrega-

12. Letter of Delegate John T. Caine to President Cleveland is published at length in *Millennial Star*, vol. xlviii, pp. 69-70.

tion policy of the courts in unlawful cohabitation cases, the withdrawal of his name by President Cleveland was gratifying to the Latter-day Saint population of Utah.¹³

Marshal Ireland's term of office expired in June, 1886, and he was succeeded by Frank H. Dyer, a resident of several years standing in Utah, but originally from the state of Mississippi. None of the federal officials of the Murray regime in Utah were bidden a more hearty "good-riddance" than Marshal Ireland. He was an illustration of the truism that weakness is often more despised than wickedness, and more severely censured, and punished.

About a year later the Washington administration demanded the resignation of Mr. W. H. Dickson, United States district attorney for Utah since April, 1884, at which time he succeeded Philip T. Van Zile. He, too, had been relentless in his prosecution of one class of offenders against the law—"Mormons" for violation of the Edmunds law—and beyond question had exceeded the law's limits in his desire to achieve his ends, which may not be allowed always to have been solely patriotic, though that quality is claimed for them. Mr. Dickson was succeeded by George S. Peters of Ohio.

JUDGE CHARLES S. ZANE

Judge Charles S. Zane who became chief justice on the 1st of September, 1884, was permitted to serve out his full term of office to September, 1888, when he was superseded by Elliott Sanford of New York, whose nomination was confirmed by the United States senate on the 20th of July. A fourth judicial district was considered necessary for Utah, and provision was made for it by the appointment of John W. Judd, of Tennessee, to the new judgeship, at the time of Sanford's appointment. Judge Zane, despite some difference of personal character from the rest of the group of attorneys and judges who inaugurated the judicial crusade in Utah against the Latter-day Saints in 1884—the like of which is

13. See editorial in *Deseret News*, weekly, of April 21st, 1886, p. 216.

not elsewhere to be found in the history of American jurisprudence—will stand classed with them in history as sharing in responsibility for the cruelty and injustice of that regime, which marks the saddest period of Utah's history; and but for which Judge Zane's career in Utah would have been unblemished. It may be urged, of course, that the duty of the judge was to administer the law, he was not responsible for its existence; and that is true. But there is administration and administration. Much discretion is lodged with the judge in the administration of the law, that there may be elasticity in its application, and the ends of justice thereby more surely attained. But in this particular class of cases—unlawful cohabitation cases—where men in the dock were every whit as sincere in their convictions of the rectitude of the course they followed as was the judge upon the bench in his—there Judge Zane never divorced himself from his deep-seated prejudice and vindictiveness against this class of offenders and their religious faith; nor framed a less severe penalty than the extreme penalty allowed by the law; and this he sought to augment by the strained devices of the segregation policy of the courts in Utah by which a single offense under the law could be divided and subdivided into an indefinite number of offenses. For the inauguration of this policy in the courts Judge Zane was responsible, whoever may have first conceived the scheme. Happily, though not without much difficulty, the iniquitous interpretation of the law, as we have already seen, was quashed by an adverse decision of the supreme court of the United States. As stated in commenting upon the Utah career of James B. McKean, so now, I may say, history has little concern with the private life and virtues of Judge Zane; it is with his career as connected with the administration of the Edmunds law, especially enacted against the Latter-day Saints and aimed at the destruction of a principle and practice of their religion, that history is concerned with him. It is in respect of his admin-

istration of that law that history calls him to the bar for judgment. It is the historian's duty in respect of him, as in respect of all others, to set forth the facts of history in their true light; if nothing is extenuated, certainly nothing must be set down in malice, and that is what is here attempted. And history will be compelled to say that in Judge Zane's administration of the laws in respect of those cases which involved belief in and practice of the Latter-day Saint marriage system, there was much unnecessary harshness, and much that was extra judicial and spiteful in his course upon the bench; and the proof of it comes from the overturning of some of his rulings and interpretations by the supreme court of the United States.

CHAPTER CLXV

GOVERNOR WEST — PROPOSITION TO ABANDON POLYGAMY —
WOMAN'S INDUSTRIAL HOME — PRESIDENT JOHN TAYLOR'S DEATH

GOVERNOR Caleb Walton West¹ arrived in Salt Lake City on the 5th of May, 1886. He was met at Ogden by a double delegation of citizens, one headed by Secretary of the Territory, Arthur L. Thomas, and, *ad interim*, acting governor, and the other by the mayor of Salt Lake City, Francis Armstrong, and members of the city council. Both gave the new governor hearty welcome to the territory.² The day following his arrival Governor West took the oath of office before Judge Zane. On the 7th a public reception and ball was given in his honor at the Salt Lake Theater, by the municipal authorities of Salt Lake City, which was said to surpass in brilliancy any such function that had ever preceded it in the history of the territory.

GOVERNOR WEST'S VISIT TO THE PRISONERS FOR CONSCIENCE SAKE

Undoubtedly Governor West had come to represent the spirit in which the Cleveland administration desired to conduct the affairs of Utah, so far as they were to be affected by action of the federal officers of the territory. It was this fact which led the governor eight days after his arrival in the territory to visit the brethren incarcerated in the penitentiary, on convictions for violating the anti-bigamy laws passed by congress. This on the 13th of May.³ It perhaps

1. Governor West like the man he succeeded, Eli H. Murray, was a Kentuckian. He was a Democrat, and in the late war between the states had fought on the side of the south. He was a lawyer by profession, and at the time of his appointment as Governor of Utah, was county judge of Harrison county, Kentucky. According to Whitney "he enjoyed the friendship of such men as John G. Carlisle (secretary of the treasury in Cleveland's second administration), Senator Blackburn, and Governor McCreary, and it was through their influence that he became governor of Utah." (*History of Utah*, vol. iii, p. 505).

2. See *Salt Lake Tribune*, daily, of May 8th; and *Deseret News*, weekly, of May 12th, 1886.

3. Whitney gives an account of a previous visit to the penitentiary by Governor West, and an interview with Elder Snow, this before the action of the supreme

will be remembered that the supreme court of the United States had decided that it had no jurisdiction in the Snow case coming before it on writs of error; and the court also, for the same reason—want of jurisdiction—vacated its judgment and recalled its mandate in the Cannon case, decided at the same term of court, but at which time the question of jurisdiction was not raised. All this “in order,” to use the language of the court itself, “that the reported decision may not appear to be a precedent for the exercise of jurisdiction by this court in a case of this kind.”⁴

This decision left the interpretation of the Utah courts in respect of the Edmunds law in full force. Latter-day Saints involved in the plural marriage relations allowed by their church were thus at the mercy of the Utah courts, packed juries of their avowed enemies, and judges whose gratuitous lectures and almost invariable sentences to the full extent of the law, but too plainly revealed the bitterness and spirit of hatred in which they administered the law.

Under these circumstances Governor West, with the approval of the United States district attorney, Mr. Dickson, and Chief Justice Zane—the two men perhaps most responsible for the above described judicial status of things—thought the time propitious for submitting to the brethren then imprisoned in the Utah penitentiary the question—would they promise for the future to obey the law “*as interpreted by the courts.*” If so, these federal officials, and others, would petition the president of the United States to pardon them; while adherence to their promise would be their guarantee for immunity from further suffering, and the policy, of course, would apply to all who accepted it, outside as well as inside the prison.

With this proposition in mind Governor West, *et al.*, ap-

court relative to lack of jurisdiction on writs of error in unlawful cohabitation cases. Reference to this former visit is made in the interview of the 13th of May (which see). The first visit is described in excerpts from Snow's letter giving an account of it, and quoted by Whitney. It was merely a personal interview. (*History of Utah*, vol. iii, pp. 507-8).

4. *United States Reports*, 118.

peared at the penitentiary and held a conference with the brethren there incarcerated, first with Elder Lorenzo Snow, of the council of the twelve apostles, afterwards with the other brethren—forty-nine in all. The interview with Elder Snow was not very satisfactory. On the main points it ran as follows:⁵

INTERVIEW BETWEEN GOVERNOR WEST AND ELDER LORENZO SNOW

Governor West—Mr. Snow, I suppose you are advised of the action of the supreme court in your case?

Elder Snow—Yes, sir; I have heard they concluded they have no jurisdiction in my case.

Governor—Of course, you are aware that that determination by that court makes final the decision of that case by the supreme court here?

Snow—I suppose so.

Governor—Under those circumstances, of course, that is now the law, because it is the decision of the highest judicial tribunal to which it could be submitted, and I conceived that it would be a very opportune time to call and submit to you a proposition, which, in conjunction with Judge Zane and Mr. Dickson, we have thought advisable to make, in order to show you and the people of the territory that they are mistaken in believing that those charged with the execution of the laws in the territory are animated by any spirit of malice or vindictiveness towards the people who are in the majority in the territory; that on the contrary their only wish and only desire, one which is nearest to their hearts, is to have the people of the territory obey and respect the law. Upon consultation with Judge Zane and Mr. Dickson, and they supporting the view that I have suggested, I have come to say to you and your people here that we would unite in a petition to the executive to issue his pardon in these cases upon a promise, in good faith, that you will obey and respect the laws, and that you will continue no longer to live in violation of them.

Snow—Well, governor, so far as I am concerned personally, I am not in conflict with any of the laws of the country. I have obeyed the law as faithfully and conscientiously as I can, thus far, and I am not here because of disobedience of any law. I am here wrongfully convicted and wrongfully sentenced."

Of course the governor could not agree with this view which would require a repudiation of the ruling of the courts. The governor renewed his proposition to which the reply was made:

5. Reported by Mr. Patterson, who was the court reporter for the third district court of Utah, Salt Lake City, and published in *Deseret News*, weekly, May 26th, 1886.

"*Snow*—Well, now, governor, of course, there is no use wasting time on this. If you ask me if I will renounce the principle of plural marriage I will answer you at once.

Governor—No; that is not the question. The question I ask is will you agree, in good faith, sincerely, in the future to respect and obey the laws as interpreted by the courts, which I and every other good citizen ought to do and must do, and failing to do, will incur punishment?"

Elder Snow replied that he had been asked that question in court and had declined to answer it.

ANSWER OF THE UTAH PRISONERS

Under date of 24th of May, however, the prisoners whom the governor visited made formal answer to his propositions. Gratitude for interest manifested in them by the governor, they said, prompted their answer, and they trusted that their reply would not be construed into a defiant attitude towards the government, as their silence had been. The main part of their reply was as follows:

"Of the forty-nine elders of the Church of Jesus Christ of Latter-day Saints now imprisoned in the penitentiary for alleged violation of the Edmunds law, all but four had plural wives from its passage to thirty-five years prior to its passage. We were united to our wives for time and eternity by the most sacred covenants, and in many instances numerous children have been born as a result of our union, who are endeared to us by the strongest paternal ties. * * * So far as compliance with your proposition requires the sacrifice of honor and manhood, the repudiation of our wives and children, the violation of sacred covenants, heaven forbid that we should be guilty of such perfidy. Perpetual imprisonment, with which we are threatened, or even death itself, would be preferable.⁶

THE GOVERNOR'S PROCLAMATION

Governor West after this tender of good offices—in which there is no question but what he acted in all sincerity, and out of a desire to help conditions in Utah—became pronounced in his sympathies with the anti-"Mormon" "ring-ites," doubtless regarding any proposed policy of conciliation with the Latter-day Saints, on the basis of their submission

6. *Deseret News*, weekly, of June 2nd, 1886, p. 306.

to the law as then "interpreted by the courts," as hopeless. On the 16th of July he issued a formal proclamation warning all violators of the law, as to the marriage relation, that they incurred and subjected themselves to heavy fines and imprisonment; and also warned all well disposed persons from associating themselves with any person or organization for the purpose of immigrating to Utah to enter into or maintain any marriage relation other than that allowed, and sanctioned by law; or to aid and abet others in so doing.⁷

In one of his statements, on which his warning is based, the governor remarked: "Said church in its places of worship through its public teachers and press openly proclaims the right and duty of its members to violate the law of the land upon the subject of marriage." This the *News* editorially denied.⁸

GOVERNOR WEST'S REPORT TO THE SECRETARY OF THE INTERIOR

In October the governor made a report to the secretary of the interior—agreeably to the request of that officer—"on the operations of this territory, together with such suggestions of importance requiring the attention of congress."

Governor West emphatically urged the passage of more strenuous legislations for Utah. He deplored the fact that congress had not enacted the legislation pending before the last session of that body, making many of the local territorial offices appointive. Now an election had been held—in August—and new officers had been elected for the full term of two years. "If the bill is to become a law,—as it should, at the coming session of congress," said the governor—"it ought to provide for vacating the offices, that the law may become operative, and that they may be filled in accordance with its provisions."⁹

7. "The Proclamation" complete is published in *Deseret News*, weekly, of July 21st, 1886, p. 428.

8. *Ibid*, p. 425.

9. For the report in full see *Deseret News*, weekly, Oct. 27th, 1886, pp. 642-3.

THE WOMAN'S INDUSTRIAL HOME

In 1886 there was witnessed the opening of the "Woman's Industrial Home," in Salt Lake City, created to "provide homes and employment for homeless and destitute polygamous wives and their children." This philanthropic movement was inaugurated by women of the nation under a corporation bearing the title "The Industrial Christian Home Association of Utah." Its promoters, at the head of whom was Mrs. Angie F. Newman, of Lincoln, Nebraska, denied that the establishment of the "Home" was intended to be an act of "cold charity to the Mormon people."¹⁰ "Rather," according to Mrs. Newman, "its intent was to extend its benefits over every class—Mormon, Jew and Gentile." In support of this view may also be cited the sixth article of the association's act of incorporation, which does not limit the operations of this charity to any one class of people.¹¹ It was intended to be of a general educational, industrial movement for women and children, and had a very long and very high-sounding list of objects to achieve. But the association in pursuance of its purposes—funds in response to its appeals to the charitably inclined women of the United States coming in very slowly, and consisting chiefly in "words of encouragement" to those engaged in this charity¹²—appealed to congress for appropriations, basing that appeal on alleged "awful conditions" existing in Utah in consequence of the enforcement of the Edmunds law. The "Industrial Christian Home Association" was incorporated on the 15th of March, 1886, and within a month a delegation was be-

10. *Deseret News*, weekly, of Oct. 27th, 1886, p. 648, editorial interview with Mrs. Newman. See also Washington Associated Press dispatch *Ibid*, Dec. 22nd, p. 772, citing letters of secretary of interior and Mrs. Newman to Senator Edmunds.

11. All the articles of incorporation are published in *Congressional Record*, vol. xix, part 10, Appendix, p. 556.

12. "There are doubtless more than three hundred thousand good and noble women of the United States who, in a perfunctory way, are moved to sympathize with the 'dependent women and children of Utah and Idaho'; but thus far they have confined themselves to words of encouragement to those of their number engaged in organizing a great charity which has to exist and subsist upon the public treasury." (Speech of Utah's delegate, John T. Caine, *Congressional Record* of Oct. 4th, 1888).

sieging congress for an appropriation of \$100,000. But congress only appropriated \$40,000 in 1886.¹³ Two years later, February 1st, 1888, a further appropriation was made of \$40,000; and still later, *viz.*, October, 1888, an additional appropriation was asked for.

The appropriations, however, amounting in this October campaign to \$32,000, and in all up to this time, to \$112,000, were obtained; but in securing the aid of government appropriation the "Industrial Christian Home Association" corporation lost control of the movement.

Against this diversion of the management of the institution from the original association, Mrs. Newman protested, but all in vain. Had the federal officers of Utah in their capacity of manipulating politicians "worsted" the good and philanthropic but misguided women of the "Association?"¹⁴ It looked very much like it.

Of the appropriations made, \$50,000 was designated for the erection of a suitable building for the "Home." This to come from such unexpended balances from previous appropriations, supplemented by \$24,000 also now appropriated for that purpose. There was also appropriated, in addition to this, \$4,000 to furnish the "Home;" and \$4,000 more to aid in the emigration of those who should come to the "Home" and desire to remove permanently from the territory to escape polygamy.¹⁵

The "Home" building was erected in the heart of the city on 5th East street. The main part was three stories high with two wings two stories high. In June, 1889, the "Home" was opened in its own building and then, as well as in the rented quarters it had previously occupied, was manifested

13. See general appropriation bill for 1886, sect. 221, *Congressional Record*, Aug. 4th, house proceedings.

14. Compare Washington Associate Press dispatch of Dec. 16th, 1886, on "Utah Home," and *Deseret News* editorial interview with Mrs. Newman, weekly, impression of Oct. 27th, 1886, p. 648, also Governor West's report on same *Ibid*, p. 642.

15. See report of senate and house conference committee on the deficiency appropriations bill, *Congressional Record* for 9th Oct., p. 9312.

the utter uselessness of this extravagant outlay of the people's money.

A GHASTLY FAILURE

The "Home" was a ghastly failure from first to last. There were but very few women of the class designated, for whom it was built, who entered the "Home," even on the showing of the institution in its strained reports,¹⁶ and the fact of these belonging to the class contemplated in the acts of congress as beneficiaries of the "Home" is questioned.¹⁷ In the rented quarters the highest number of inmates that had ever been in the "Home" at one time was twenty-seven, and these were not of the class of women and children for which the "Home" was sustained by congressional appropriation, but paupers; and the average number of such inmates as these was seven.

The "Home For Polygamous Wives" was a jest in Salt Lake City and Utah, and after the completion of the building the question was often asked what should be done with it. For a number of years it served as a very convenient headquarters for the Utah Commission. In 1890 it was urged that it be made the government building—post office, etc.—for Salt Lake City, but to this strong objection was made. After a useless existence of ten years, the building and grounds were sold at auction to the highest bidder in Washington, D. C., on the 7th of September, 1899, for \$22,500;¹⁸ and it is now converted into and run as a "family hotel."

THE UTAH LOYAL LEAGUE

This year 1886 saw the birth of another "Gentile" move in the anti-"Mormon" controversy, *viz.*, the organization of the "Utah Loyal League." According to the preamble

16. The greatest number of women reported admitted to the "Home" and who had been connected with polygamy was ten cases, cited by Mr. Isaac Struble, representative from Iowa, in a speech in the house of representatives, Oct. 4th, 1888, (See *Congressional Record* of that date, vol. xix, part 10, Appendix, p. 562).

17. *Deseret News*, daily, July 29th, 1899.

18. See special Washington dispatch to *Deseret News*, daily, 7th Sept., 1899.

to its constitution the "League" was to be an association "open as to its general object and purpose, but secret as to its membership and proceedings." Its purpose was set forth in the form of its enrolling list as follows:

"The objects of the Utah Loyal League are to combine the loyal people of Utah, male and female, irrespective of politics, in opposition to the political rule and the law-defying practices of the so-called 'Mormon church;' to oppose the admission of Utah into the Union until she has the substance as well as the form of republican government; to raise money to maintain agents in Washington or elsewhere to labor for these ends."

Undoubtedly the "League" was effective in supporting the Gentile lobby that was sustained at Washington through these years of "Mormon-Gentile" conflict.

Meantime prosecutions for violations of the Edmunds law continued with constantly increasing vigor. After the Edmunds-Tucker law became effective convictions became easier and multiplied. The expenses of the courts in Utah in the fiscal year of 1887, and paid that year, were over \$63,000, "a large increase over former years," said Representative Struble in the house of representatives, on the 4th of October, 1888; "occasioned, it may be supposed, by reason of further attempts to enforce the laws against illegal cohabitation and polygamy."¹⁹

THE DEATH OF PRESIDENT JOHN TAYLOR

It was in the midst of these troublous times and threatening portents that President John Taylor died in his retirement at the home of Thomas F. Rouche at Kaysville, Davis county, about fifteen miles north of Salt Lake City. The president had been in retirement two and a half years—from the 1st of February, 1885, to the 25th of July, 1887, the day of his death.

It was a sad ending of a noble life. Thirteen days before the end came Elder Joseph F. Smith, second counselor to President Taylor, arrived from the Hawaiian Islands, where

19. *Congressional Record*, vol. xix, part 10, Appendix, p. 562.

he had been in exile for over two years and a half, and joined George Q. Cannon at the bedside of the dying president. The president was very weak and low, but he was conscious, and recognized his returned friend and counselor. His attention was called to the fact that the first presidency were once more together—the first time since December, 1884—

"I feel to thank the Lord!"

he said. After this he continued to grow weaker, with only intervals of consciousness, until the end came.

It is not necessary to dwell either upon the life or the character of President John Taylor, both are interwoven in the narrative of this *History*. "President Taylor escaped the death which the assassins of Carthage jail assigned him," said his counselors in making official announcement of his death. "His blood was then mingled with the blood of the martyred Prophet and Patriarch [Joseph and Hyrum Smith]. He has stood since then as a living martyr for the truth. But today he occupies the place of a double martyr. President John Taylor has been killed by the cruelty of officials who have, in this territory, misrepresented the government of the United States. There is no room to doubt that if he had been permitted to enjoy the comforts of home, the ministrations of his family, the exercise to which he had been accustomed, but of which he was deprived, he might have lived for many years yet. His blood stains the clothes of men, who with insensate hate have offered rewards for his arrest and have hounded him to the grave. History will yet call their deeds by their right names."²⁰

We do not hesitate to fulfill the prophecy: *They were deeds of heartless murder. In Utah was finished what Carthage began!*

OBSEQUIES

The funeral services were held in the Salt Lake taber-

20. The document will be found in full in *Life of John Taylor*, pp. 410-416.

nacle on the 29th of July, where the body laid in state, and was viewed by a sorrowful multitude. After processional honors were paid to the departed president, interment took place in the city cemetery.²¹

I think it proper to place in this *History* what I have elsewhere said of the personal and commanding appearance of this venerable president of the church whom we have seen attain to a great age in the development of the New Dispensation of the gospel with which he has been so closely and for so long identified.

In person President Taylor was nearly six feet in height and of fine proportion, that combination which gives activity and strength. His head was large, the face oval and the features large, strong and finely chiseled. The forehead was high and massive, the eyes gray, deep set, and of a mild, kindly expression, except when aroused, and then they were capable of reflecting all the feelings that moved his soul, whether of indignation, scorn or contempt. The nose was straight and well formed, the mouth expressive of firmness, the chin powerful and well rounded. In early life he was of a fair complexion, but with age the face grew swarthy, and even in middle life his abundant hair turned to a silvery whiteness, which but added beauty to his brow and made his appearance venerable.

In his manner he was ever affable and polite, easy and gracious, yet princely in dignity. There was no affectation in his deportment, no stiffness; his dignity was that with which nature clothes her noblest sons. It did not spring from self-conceit, or self-sufficiency. Nor was it studied or copied, or put on for state occasions. He carried it with him wherever he went—into his own home, into the homes of his friends. It was with him in courts and palaces, among the refined and the titled nobility of this world; he never plucked it off on entering the humblest cottage of the poor. He was

21. Full account of the services will be found in *Millennial Star*, vol. xlix, pp. 546, 553 and 561-5.

to his manners born, and they were suited to the man. In any assembly he was a striking figure.

A universal benevolence, powerful intellect, splendid courage, physical as well as moral, a noble independence of spirit, coupled with implicit faith and trust in God, a high sense of honor, unimpeachable integrity, indomitable determination, and a passionate love of liberty, justice and truth marked the outlines of his character. The Church of Jesus Christ of Latter-day Saints had the right to be very proud of the third president in the New Dispensation.

CHAPTER CLXVI

SUCCESSION IN THE PRESIDENCY—APOSTOLIC AD INTERIM—THE CHURCH PROPERTY SUITS

FOLLOWING the funeral services of President John Taylor, held on the 29th of July, the counselors of the late president, George Q. Cannon and Joseph F. Smith, met with five of the twelve apostles,¹ and Daniel H. Wells, (the latter had recently returned from presiding over the European Mission) in council meeting. It was decided that the two counselors to the late president should preside over the church until the members of the council of the apostles could be convened. This arrangement lasted until the 3rd of August. On that date eight of the apostles met, with the two counselors of the late president, to consider the matter of the presidency of the church. Elders George Q. Cannon and Joseph F. Smith were reinstated in their former positions in the quorum of the twelve whence they had been taken to act as counselors to the late President John Taylor—this was fifth and sixth place respectively. President Wilford Woodruff with the approval of this meeting issued a brief address "To the Saints Throughout the World," announcing the death of President Taylor, and also declaring that, as upon two former occasions in the history of the church, "the duty and responsibility of presiding over and directing the affairs of the Church of Jesus Christ of Latter-day Saints in all the world, devolved upon the twelve apostles," for the time being, and expressed the hope that with the blessing of the Lord and the faith and prayers of his people they would be able to do their duty until they, too, would be laid to rest.²

1. The five apostles were Wilford Woodruff, Lorenzo Snow, Franklin D. Richards, Moses Thatcher, Heber J. Grant.

2. The epistle complete is published in *Millennial Star*, vol. xlix, pp. 545-6.

THE TWELVE AGAIN THE PRESIDENCY OF THE CHURCH

At the general conference of the church in October following, the quorum of the twelve, with Wilford Woodruff as president, was sustained "as the presiding council and authority of the church, and with their counselors, as prophets seers and revelators."

One of the pleasing features of this general conference of October 1887 was, that two of the apostles and some other leading elders of the church, who had been in retirement for some years on account of the judicial crusade that had raged in Utah, appeared upon the stand of the tabernacle. The *Salt Lake Herald* thus describes their appearance—referring to the morning session of the third day:

"A surprise was in store for the congregation, which gave great satisfaction. It was the appearance of Erastus Snow, the founder and upbuilder of southern Utah. It is the first time he has been seen in public in a number of years."³

At the commencement of the afternoon session of the 4th day of the conference, the venerable Wilford Woodruff, now president of the church, by virtue of being the senior member of the apostles' quorum, walked into the stand,—and now the *Herald's* account:

"The crowning incident of surprise for those who assembled in the tabernacle on Sunday afternoon, was the sudden appearance, a few minutes before the hour of beginning the services, of President Wilford Woodruff. It was a happy denouement! The venerable and respected leader entered the building at the west end, went directly to the stand of the presidency, and made his presence known to the seated multitude by a bow and wave of the hand. He was recognized immediately, and before he had time to think the congregation arose *en mass* and gave vent to warm ejaculations of welcome. It was a spectacle which will long be remembered. Among the thousands who thus welcomed an honored and beloved apostle who had labored faithfully for more than half a century in the cause of the salvation of mankind, and whose hair had grown grey and white in the service, were those whose memories carried recollections of his good deeds in the past; and they beheld him standing before them after an enforced absence of some three years, their pent-up-feeling found vent in tears, and as they resumed their seats they were seen to weep for joy."⁴

3. *Salt Lake Daily Herald*, impression of 9th Oct., 1887.

4. *Ibid.*

THE ORGANIZATION OF THE FIRST PRESIDENCY, APRIL, 1889

The arrangement as to the presidency of the twelve apostles over the church, voted for at this conference, continued eighteen months, then the first presidency for the third time since the martyrdom of the Prophet Joseph Smith was reorganized at the general conference of the church held in April, 1889. Wilford Woodruff was sustained as president of the church with George Q. Cannon and Joseph F. Smith as counselors.⁵ The three vacancies created in the quorum of the twelve by the advancement of these apostles to the presidency were not filled until the October conference following, when Marriner W. Merrill, Anthon H. Lund and Abraham H. Cannon, the last a member of the first council of seventy, were chosen to fill these vacancies.

The vacancy in the first council of seventy occasioned by the advancement of Abraham H. Cannon to the apostolate was filled at the April conference of 1890, by the selection of Elder George Reynolds to the position. Elder Reynolds, it will be remembered, was the one whose case, when he was charged with polygamy, went to the supreme court of the United States to test the constitutionality of the anti-polygamy law of 1862, and who had suffered a two years' term of imprisonment (1879-1881) in consequence of that action. A previous vacancy in this council, occasioned by the death of Horace S. Eldredge (September 6, 1888), had been filled by the selection of Elder B. H. Roberts for that place at the October conference of 1888.

THE ESCHEATED CHURCH PROPERTY PROBLEMS

One of the most serious problems that President Woodruff's administration had to deal with was the matter of the escheat proceedings of the United States against the property of the church. As already stated when reviewing the various provisions of the Edmunds-Tucker law, the attorney-general was directed by that law to institute and prosecute proceed-

5. Conference Minutes in *Millennial Star*, for April, 1889, vol. li, pp. 291-2.

ings to forfeit and escheat to the United States the property of the corporation of the Church of Jesus Christ of Latter-day Saints obtained or held in violation of the act of 1862,—all real estate in excess of \$50,000; provided that no buildings or the grounds appurtenant thereto occupied exclusively for the worship of God, or parsonage connected therewith, or burial ground should be forfeited. Also, it will be remembered that the church as a corporation was dissolved by this act and the attorney-general was directed to cause such proceeding to be taken in the supreme court of the territory of Utah as was necessary to wind up its affairs.

The first step in carrying out these directions of the Edmunds-Tucker law was the institution of a suit in the supreme court of the territory by United States district attorney for Utah, against the Church of Jesus Christ of Latter-day Saints for all property in excess of \$50,000 held by its trustee-in-trust. This on the 30th of July, 1887, the day following the burial of President John Taylor.⁶

When the legislation that culminated in the Edmunds-Tucker law was pending in congress—as it was for several years before it was finally enacted into law—the church leaders, under the suggestion of their legal advisers, took some steps for the protection of the property the trustee-in-trust held for the church. The act under which the church was incorporated⁷—in respect of obtaining and holding both real estate and personal property—its power in this respect was limited only by the proviso that the gifts or donations that it received should not be “incompatible with the principles of righteousness or the rules of justice;” and the said property was also “to be used, managed, or disposed of for the benefit, improvement, erection of houses for public worship,

6. For full statement of the case, with complaint against the church, and order of the court in full see *Millennial Star*, vol. xlix, pp. 540-544.

7. See *Compiled Laws of Utah*, 1876, ch. v. The incorporation was made first under the authority of the “Provisional State of Deseret,” approved Feb. 8th, 1851, (ch. xvii). Brought over and approved by resolution of the territorial legislative assembly, Oct. 4th, 1851.

and instruction, and the well being of said church.”⁸ The corporation was authorized at general or special conferences to elect one trustee-in-trust, and not to exceed twelve assistant trustees, to manage its affairs; but no assistant trustee or trustees was empowered to transact “business in relation to buying, or selling, or otherwise disposing of church property without the consent or approval of the trustee-in-trust of said church.

Under these plenary corporate powers the one corporation had held all the church property real and personal in all the settlements of the saints in Utah from the time of its incorporation in 1851. Had such a condition been allowed to continue until after the aforesaid bill became a law, very much more property would have been seized by the government than was seized. But as already suggested the church authorities under the advice of legal counsel took precautions to lessen the impending blow. Under the territorial law each ward and each stake also, where realty was held that could not properly fall under the ward organization, was converted into a corporation and such property as the general church corporation held within its limits was granted unto said local corporation.

PRESIDENT TAYLOR’S VIEW RESPECTING ESCHEATED PROPERTY

Such property as could not well be disposed of in this manner was subject to seizure. Still even as to such property steps were taken to preserve it from the despoilers as far as possible, and in some instances after the passage of the Edmunds-Tucker bill by the two houses of congress, 19th of February, 1887, but before the law became effective, March 3rd, of the same year. President John Taylor, according to George Q. Cannon, his counselor, had personally been averse to putting the church property out of his hands with a view to saving it from seizure.

8. *Compiled Laws of Utah*, 1876, p. 233.

President Taylor, however, must have been dissuaded from this personal view to the policy of putting forth every effort to save the property of the church from seizure. Accordingly after the passage of the Edmunds-Tucker law, recognizing that the church no longer existed as a body corporate, on the 19th of May, 1887, Wm. B. Preston, R. T. Burton and John R. Winder, the presiding bishopric of the church, were appointed and qualified before the probate court of Salt Lake county, as trustees for the unincorporated religious society known by the name of the Church of Jesus Christ of Latter-day Saints; and to them President Taylor transferred by deed the temple block and buildings, the deed bearing date of June 30, 1887. And later, *viz.*, on the 2nd of July—same year—other men to whom had been conveyed in trust other real estate before the Edmunds-Tucker act became effective, conveyed to these trustees the realty held by them, namely, the Gardo House; and the Tithing House and grounds. Other property than this was also held in similar trust; and there was seizure by the government of other property than the above, both of real estate and personal property, belonging to the church.

THE ESCHEATED PROPERTY AGREED UPON AND LISTED

Mr. Frank H. Dyer, United States marshal for Utah, was appointed by the Utah supreme court receiver of the church property for the federal government, and he made diligent effort to find all such property. Some property was seized that clearly did not fall under the description of the property to be escheated by the Edmunds-Tucker law, such was the Temple Square and the President's Office. Finally, after much petitioning and questioning in court and conferences between opposing counsel an agreement upon facts was made, and a decision arrived at as to the real and personal property that should be turned over to the receiver, upon which agreement and decision the litigants would take the case before the courts, with the understanding that the case

would go finally to the supreme court of the United States for adjudication.

This compromise arrangement was made on the 8th of October, 1888, and the findings and decrees of the court were filed a few days later. Accompanying the compromise agreement was a notice of appeal to the United States supreme court by attorneys for the church.⁹

THE DECISION OF THE UNITED STATES SUPREME COURT

When the case was considered by the supreme court and judgment rendered, May 19, the court sustained the constitutionality of the Edmunds-Tucker law, and with very slight modification the decrees of the territorial court. These modifications related to the handling of the personal property which the supreme court dealt with in a subsequent decision, May 25th, 1891. It was directed by the court that since at the dissolution of the church corporation there did not exist any trust or purpose within the objects for which said personal property was originally acquired and for which it could be used; and there did not exist any body or association who is legally entitled to said property, therefore it had devolved upon the United States and ought to be limited and appointed to such charitable purposes, lawful in their character, as most nearly correspond to those to which it was originally destined. This to be ascertained by a special master in chancery, whose findings and recommendations were to be approved by the supreme court of the territory.

The court, however, was divided, Chief Justice C. J. Fuller and Associate Justices Field and La Mar dissenting—Chief Justice Fuller writing the dissenting opinion.¹⁰

UNITED STATES RECEIVERS OF CHURCH PROPERTY—FRANK H. DYER

All listed real and personal property noted in the com-

9. See proceedings of the court published in *Deseret News*, weekly, of Oct. 10th and 17th; also a summary of the compromise and of the findings and decrees of the court will be found in the decision of the case by the United States supreme court in *United States Reports*, vol. x, pp. 732-812.

10. *United States Reports*, p. 884.

promise proceedings before the Utah supreme court by this ruling went into the hands of the receiver, Mr. Frank H. Dyer. Mr. Dyer's bond was \$250,000. There were wide differences of opinion on the subject of compensation for the receiver, and much controversy about it. The court referred the subject for examination and report to Judge Ezra T. Sprague, master in chancery. In his report the judge fixed the sum to be paid the receiver at \$25,000; and to each of his attorneys, Parley L. Williams and George S. Peters—the latter was the United States district attorney for Utah—he recommended the payment of \$10,000 to each, and for expenses of the receiver, \$7,865.63, making a total of \$52,865.63. This was cut by the court to the amount stated of which \$10,000 was allowed to the receiver, and \$5,000 and \$4,000 respectively, to the attorneys.¹¹

After a year's service the receiver was allowed compensation, which with fees, for his attorneys—Williams and Peters—and his expenses, amounted to \$26,825.63. Mr. Dyer continued in the office of the receiver until the 14th of July, 1890, when he resigned.

HENRY W. LAWRENCE—RECEIVER

Marshal Dyer two days after his resignation was succeeded by Henry W. Lawrence, who will be remembered as active in the Godbeite movement of previous years. Being regarded as an "apostate Mormon" his appointment was obnoxious to the Latter-day Saints who still held an interest in the property to be turned over to the receiver.

Mr. Lawrence continued in office as receiver until August 31st, 1894, when he was superseded by the appointment of John R. Winder, counselor in the presiding bishopric of the Church of the Latter-day Saints. He was required to give bonds in the sum of \$100,000.

During the continuance of the service of the second

11. See court proceedings and orders, published in *Deseret News*, weekly, of March 9th, 1889.

receiver, Mr. Lawrence, various orders were made for special examinations and reports by the Utah supreme court as to the uses to be made of this church property, both as to the real estate and the personal property. Judge Loofbourow was appointed on the first of July to conduct such an inquiry, as master in chancery. This inquiry began on the 19th of October, 1891, and became important in the annals of the church—as we shall see later—because of the interpretations it elicited respecting the scope of the Woodruff Manifesto discontinuing plural marriage in the church, which meantime had been announced by the church.

RETURN OF ESCHEATED PROPERTY TO THE CHURCH

With reference to the escheated church property, Judge Loofbourow, in his report, recommended that the escheated property be devoted to the benefit of public schools. This on the 15th of January, 1892. On November 12th of the same year, the supreme court rendered a decision authorizing the use of the personal property of the church under the direction of a trustee, for the building and repairing of houses of worship and the support of the poor. Leonard G. Hardy, son of Leonard W. Hardy, so long a counselor in the presiding bishopric of the church, was made the trustee for the expenditure of these funds, and was placed under \$500,000 for the faithful performance of his duties.

Before any action was taken in the expenditure of these funds, however, an event occurred which returned to the church its personal property to be disposed of by the officers of the organization charged with that duty under its administrative policy. This was accomplished by the passage of a joint resolution of congress in 1893, to restore the said personal property to the church. The resolution was introduced by Mr. Joseph L. Rawlins, Utah's delegate to congress at the time, on the 9th of September. It came up for consideration in the house on the 5th of October and was passed, being ably championed by Mr. Rawlins. It passed

the senate, with some slight amendments, on the 21st. The house two days later agreed to the senate amendments, and on the 25th of October it was signed by President Cleveland.¹² This act caused to be paid over to the first presidency of the church, by order of the supreme court of Utah, personal property of the value of \$438,174.39. This the 10th of January, 1894.

It was not until 1896—after the admission of Utah into the Union—that the real estate escheated to the government was restored to the church. In the very last legislative assembly held in the territory of Utah—1894—Mr. C. S. Varian, formerly the United States district attorney for Utah, introduced a Memorial to congress asking for the restoration of the real estate to the church, which was passed without opposition.¹³ When the congressional delegation from the state of Utah were duly installed, both in senate and house, resolutions were introduced to restore the escheated real estate to the church; and the senate resolution, introduced by Senator Frank J. Cannon, on the 11th of February, 1896, finally passed both houses, and received President Cleveland's signature on the 28th of March.¹⁴ In June following—the 4th—the supreme court of the state of Utah entered the decree and gave the order to the receiver, to deliver the church real estate with all rents and profits arising therefrom and now in his hands, after paying the expenses of said receivership, to the presidency of the church.

Thus ended an act which, had it been carried to the end proposed by those who projected it, would have virtually involved the federal government of the United States

12. See *Congressional Record* in proceedings of house and senate of the above dates, 1893; also *Millennial Star*, vol. lv, p. 738; also *Deseret News*, weekly, of Nov. 4th, 1893, pp. 612-13, where joint resolutions in full will be found, senate amendments, etc.

13. *Millennial Star*, vol. lvi, p. 144.

14. The resolution passed the senate on the 18th of March, and the house on the 24th. (See *Congressional Record* in both senate and house on those respective dates).

in an act of confiscation that would have been most discreditable and indefensible. As it was, though not carried to the final end of despoilation proposed in the beginning of the action, yet it profoundly disturbed a whole community through about nine years, involved them in vexations and very expensive litigation by which much of their community substance contributed to charitable and religious purposes was wasted, and their sense of justice outraged.

CONCESSIONS TO THE MINORITY PARTY IN MUNICIPAL ELECTIONS

In the biennial municipal election in Salt Lake City of 1888, there was a departure from the policy of electing a solidly People's party—"Mormon" municipal administration. Four places on the ticket were tendered by the People's party convention to the Liberal—Gentile—party; which tender the more conservative elements in the latter party, under the leadership of Governor West, Marshal Frank H. Dyer, J. L. Rawlins, W. H. Dickson, J. R. McBride and others, accepted, much to the disgust of the radical wing of that party. The tender was made by the People's party in recognition of the right of the minority to representation in municipal affairs.

In further courtesy to their former opponents, the ticket thus made up was called the "Citizens Ticket." The four places on the ticket accorded the Liberals was one alderman and three councilors. Mr. W. S. McCornick, a leading Salt Lake banker was named as the Liberal candidate for alderman, and John E. Dooly, M. B. Sowles and Boliver Roberts for councilors.

The radical wing of the Liberal party placed a ticket in the field and a bitter municipal campaign followed.

The citizens ticket was triumphantly elected by an average majority of 1,750 to 860.¹⁵ Mr. Francis Armstrong, a prominent business man, was the mayor of this fusion administration—it was his second term as mayor. During

15. Election returns will be found in *Deseret News*, daily, Feb. 14th, 1888.

this administration the city council presented to the territory a site for territorial or state buildings out of the corporation lands, on what was called "Arsenal Hill," on the north central part of the city plot, almost immediately at the foot of Ensign Peak.

SALT LAKE CITY'S GIFT OF A CAPITOL SITE TO THE STATE OF UTAH

The matter of the capitol site was introduced by Mr. Heber J. Grant, one of the city councilors, on the occasion of the last session of the 1886-1888 city administration, the 28th of February, 1889. The following is an excerpt from the city council minutes of that date: "Mr. Grant represented to the city council that for many years past land had been held by the city on Arsenal Hill with the tacit understanding that at some time state capitol buildings would be erected upon it. He therefore moved that * * * a committee be appointed to select and present to the territory a site for the capitol buildings, say about thirty acres, making a resolution to that effect."¹⁶

THE CAPITOL SITE

The site was located by Mayor Armstrong, Governor West, a committee from the legislature, and a like committee from the city council,¹⁷ on February 29th, 1888.

16. *Salt Lake Herald* of Feb. 29th, 1888.

17. The city council committee was as follows: W. W. Riter, Thomas G. Weber, W. S. McCornick, James Sharp and George D. Pyper: the legislative committee, Honorables I. W. Shurtliff and Thomas Marshal of the council, and Honorables Wm. H. King, E. S. Kimball and E. D. Hoge of the house. (*Deseret News*, weekly, of March 7th, 1888).

CHAPTER CLXVII

A BREAK IN THE SOLIDARITY OF POLITICAL PARTIES IN MUNICIPAL ELECTIONS—THE LIBERAL VICTORY OF 1890

IN the city election of 1890 the radical wing of the Liberal party determined upon making an effort to capture control of Salt Lake City. The fact that in the recent fusion movement and election they could count more than one-third of the voters for their candidates, gave them hope that with the greater part of the election machinery under anti-“Mormon” control, and with the facilities for colonizing voters in the city from the surrounding mining camps, they could win control of the city. In the municipal election at Ogden in February, 1889, after a bitter contest, the Liberal, that is to say the Gentile, party was victorious, and for the first time in its existence Ogden passed out of “Mormon” control. Frauds in the registration of voters and in the voting were charged by the leaders of the People’s party, but no action was brought “to test the legality of the election of any officer, either as to the manner of registration, or as to illegal voting at the polls, or as to the canvass of the returns,” said the *Report of the Utah Commission*. “Nor has any specific charge of fraud ever been brought to the knowledge of this commission,” the report continues, “but only general charges made through the party newspapers or by individual members of the People’s party, wholly unsupported by proof.”¹ Also in the election of members for the legislature in August, 1889, the Liberal party elected two members of the legislative council and five members of the lower house;² and as of these one Liberal member of the council and three members of the house were elected from Salt Lake City—the average Liberal majority in Salt Lake being forty-

1. *Report of Utah Commission* for the 23rd of Sept., 1889, p. 4.

2. These figures are from the *Report of the Utah Commission*, 23rd of September, 1889. The *Deseret News*, weekly, of Aug. 10th, conceded six members of the house and two of the council. The commission likely presented the official returns.

one³—all this gave encouragement to the Liberals that they could succeed in the municipal election in 1890.

PRELIMINARY STEPS TO THE ELECTION

Plans accordingly were early laid for the next city campaign. Colonization of voters in the city began to be charged as determined upon by both parties as early as August, 1889.⁴ The territorial law required but six months' residence in the territory, and thirty days' residence in the precinct previous to registration to qualify citizens as voters. As a matter of fact both parties colonized voters in the city for the impending election. Also an effort was made by both parties to qualify as many aliens to vote as possible by naturalization. This method of increasing voters on the part of the People's party was estopped by a decision of Judge Thomas J. Anderson, associate justice of the supreme court of Utah, and acting judge of the third judicial district—the district including Salt Lake City—who rendered a decision on the 30th of November, in which he declared that "an alien who is a member of the church (i. e. the Church of the Latter-day Saints) is not a fit person to be made a citizen of the United States."⁵

The case came up on an application of nine alien Latter-day Saints to become citizens. The hearings on the cases began on the 14th of November and continued until the 30th, with the result noted. There was a great array of legal talent, R. N. Baskin and W. H. Dickson appeared in behalf of the Liberal party which was objecting to the naturalization of "Mormons." Le Grand Young, J. H. Moyle, R. W. Young appeared for the applicants, and Mr. Charles S. Varian, United

3. The result, most gratifying to the members of the Liberal party, and correspondingly distasteful to the People's party, was the demonstration that, in a hotly contested election, the Liberal party, had polled a majority of 41 in the vote of the city of Salt Lake, and had secured a voice which could be heard and an influence which could be felt in both branches of the legislature." (*Report of Utah Commission*, 23rd Sept., 1889, p. 15).

4. See current numbers of both *Deseret News*, and *Salt Lake Tribune*, from 17th of August, *et seq.*

5. See decision published in full in *Deseret News*, weekly, of December 7th, 1889, pp. 754-760.

States district attorney for Utah, near the close of the hearing announced that he appeared as "the official representative of the United States to object to the naturalization of Mormons." A very large number of witnesses was examined, including a number of high church officials. The testimony dealt very largely with "endowment house ceremonies" as related to the loyalty of the "Mormon" people. The evidence was conflicting, the testimony of Latter-day Saints denying the imputations of disloyalty laid in these ceremonies, the testimony of apostate "Mormons," in the main, alleging disloyalty. One notable exception in the latter class was Mr. E. L. T. Harrison of Godbeite movement fame, who insisted that there was nothing tending to disloyalty in these ceremonies.⁶

NATURALIZATION—NO "MORMON" NEED APPLY

The decision, judging from its full text, was based chiefly upon excerpts from extreme and angry utterances of "Mormon" leaders during times of stress, and the disorders of "Echo Canyon War" times, rather than upon a careful analysis and synthesis of the testimony actually before the court. And unquestionably the decision of the court was influenced by the felt need of excluding from citizenship those whose votes would be cast against the Liberal party in the pending election. But for all that the decision seems to have settled the judicial policy of the Utah courts for some years with reference to the admission of Latter-day Saint aliens to citizenship. "No 'Mormon' need apply," was the common parlance in which the conclusion was announced when the acquiring of citizenship by Latter-day Saints was mooted.

MARCHING CLUBS

In the latter part of September, 1889, People's party

6. Record of the hearing in full will be found in the *Deseret News*, weekly, Nov. 30th and Dec. 7th.

clubs began to be organized, the first in the 7th ward, September 28th.⁷

Although the Liberal party's nominating convention was not to be held until the 14th of January, 1890, and the People's party nominating convention not until the 27th of the same month, and the election would not be held until the 10th of February; yet political rallies, torchlight and daylight processions, leading to great political excitement, began early in November, 1889. On the 2nd of that month the first Liberal party torchlight procession was held, and more than two thousand men were in line. A second parade of the kind was held on the night of the 29th of the same month, said to be the greatest affair of its kind ever seen in Utah. A great Liberal drum corps was organized and led the procession, bonfires and red lights illuminated the line of march. Though it was midwinter there were outdoor rallies. At one of these, held on the day following Christmas, the Liberals erected a flagpole one hundred and ten feet high. Not to be outdone in things of this sort the People's party held rallies and organized parades equally gigantic in proportions, and even surpassing in numbers the Liberal parades, and rallies. The Liberal party was led by Judge Orlando W. Powers, late of Michigan, but who had acted for a time as one of the United States district judges of Utah, and who, it will be remembered, had failed of confirmation in his appointment by the United States senate. The People's party was led by Franklin S. Richards, the leading attorney for the church in those troublous years.

THE CANDIDATES

The Liberal party's candidate for mayor was George M. Scott, a hardware merchant of the city since 1871.⁸ The

7. A full account of this organization, and of its constitution and principles is published in *Deseret News*, weekly, of Oct. 5th, 1889.

8. Mr. Scott was a native of New York state, born in 1835. In 1852 he went to California via Isthmus of Panama, where he remained until he came to Utah in 1871 and established himself in the hardware business, especially in mining machinery. (*Biographical Record*, Whitney, 1902, p. 311).

People's party candidate was Spencer Clawson, a prominent young business man, a man of good family, a native of the city, the son of Bishop Hiram B. Clawson. Interest in this municipal election was nation wide. Not a paper of any prominence in the United States but what both before and after it occurred commented upon it. Indeed so far was public opinion aroused in the event, and so generally was the sympathy of that opinion on the anti-"Mormon" side, that it was thought necessary by the church authorities to send representatives of the Latter-day Saints to the east to stem the tide of adverse editorial opinion if possible.⁹ Little could be done, however, though interviews were obtained and special articles were written, and editorial comment influenced to some extent by presentation of the pro-"Mormon" side of the contention. Yet in the main the press face was set hard as flint against the "Mormon" community, and nothing of moment could be accomplished.

CHARGES OF FRAUD—FUTILE BEFORE A COMMISSION HOSTILE
TO THE PEOPLE

There were charges of intent of corruption on both sides in this municipal election. In anticipation of frauds in both registration and in conducting the election, the Liberal party having the control of both the registration and the election machinery, through the appointments made by the Utah commission¹⁰—ex-Police Inspector Bondfield, of Chicago, with other detectives, was employed by the People's party to watch their interests and prevent or expose frauds.

The election resulted in a victory for the Liberal party, its majorities for the city officers running, in round numbers,

9. These representatives were Elder John Morgan, late president of the Southern States Mission, and B. H. Roberts, at the time associate editor of the *Salt Lake Herald*. They sought representation through the New York, Philadelphia, Boston, and Chicago papers. George Q. Cannon operated in the same interest at Washington, D. C., among his former congressional associates in congress, some of whom were men of national influence; but all to little or no purpose—the American people were set in their convictions against the Latter-day Saint community, and nothing apparently could change them.

10. All five of the registration officers in Salt Lake City were non-"Mormons" and four out of the five became nominees of the Liberal party in the election.

from eight hundred to four hundred, and the city council by majorities with even less variation.¹¹

There were general charges of fraud in the organs of the People's party, the *Deseret News* and *Salt Lake Herald*, but there was nothing exposed that affected the general results. The Utah Commission in its report to the secretary of the interior, dated August 22nd, 1890, expressed the belief "that the election was a fair one" and they had "no doubt that the Liberal party fairly won the day." Judge Powers was of the same opinion!¹² The Utah Commission being in complete sympathy with the Liberal party gave practically no heed to the "hundreds of affidavits" that were tendered them both as to registration and election frauds, and allowed such arbitrary and unlimited administrative powers to their appointees, both to registration officers and judges of election—of which the Liberal party had in each precinct a majority—that it was practically impossible to get by them with charges of corruption. The commission's report to the secretary of the interior—22nd of August, 1890—on this February election should be considered in connection with an editorial review of it by C. W. Penrose of the *News*, and especially with reference to letters from the editor to the commission both previous to the election and afterwards, in which he refers to many registration and election frauds accompanied by affidavits, but all of which though mentioned in the commission's report, was lightly set aside by them.

CONTESTS COURT-WON—BUT FUTILE

Three councilmen from the fourth ward of the city were elected by the People's party, but the certificate of election was given to their defeated opponents. On an appeal to the third district court through *mandamus* proceedings, Judge Zane declared the People's party candidates elected,¹³ and ordered the

11. For the returns of the election see *Deseret News*, weekly, of Feb. 22nd, 1890.

12. "We won because we had the most people on our side." (Powers Interview in the *San Francisco Chronicle*, copied into *Deseret News*, weekly, March 8th, 1890).

13. See Zane's decision in full *Deseret News*, weekly, of March 1st, 1890.

certificates of election to be given to them. An appeal was taken from this decision to the supreme court of the territory. In its review of the case the supreme court unanimously confirmed the decision of the district court,¹⁴ *but the People's party councilmen meantime were kept out of their offices for nearly eighteen months of a two years' term, while their defeated opponents had occupied their seats in the council during that time.*

THE LIBERAL PARTY ADMINISTRATION

The Liberal city administration rushed into extravagant expenditures for municipal improvements, and the criminal elements flocked into both Ogden and Salt Lake City as if they expected a toleration before unknown. In this they were not disappointed. Notwithstanding this, two years later, the same party was given a new lease of power. Mr. R. N. Baskin, a bitter anti-"Mormon" of many years standing was elected mayor. It must be said, however, to the honor of Mr. Baskin, that in this second Liberal administration he sought to restrain, and by the vigorous use of the veto power he did restrain some of the reckless extravagance of the party, bent, apparently, not only upon looting the city treasury, but also upon ruining the city's credit. By the end of four years of Liberal rule the people were glad enough to be rid of it, Gentiles as well as "Mormons," and so in the municipal election of November, 1893,¹⁵ they united on a citizen's ticket, headed by Mr. Baskin for mayor, who had won the confidence of the people by his sturdy resistance to the extravagance and dishonesty of the Liberal city council. In this election the citizen's movement was successful. They elected the mayor and all the city officers, except treasurer, and ten out of the fifteen city council, and Liberal party rule came to an inglorious end in Salt Lake City.

14. *Utah Reports*, vol. vii, pp. 252-5. This decision was not rendered until June, 1891.

15. The legislature had meantime changed the time of holding the biennial municipal elections in Utah from February of the even years to the first Tuesday in November of the odd years, at which time the general territorial election was also held.

CHAPTER CLXVIII

NUMBER OF CONVICTIONS FOR POLYGAMOUS MARRIAGES AND FOR POLYGAMOUS LIVING—PENDING LEGISLATION—THE WOODRUFF MANIFESTO

MEANTIME through these years in which other things have been considered, the relentless prosecution of men for maintaining their family relations under the plural marriage system of the church, was going on. The records show that more cases were prosecuted under the first Cleveland administration than under all the Republican administrations preceding it; and in the first session of the 50th congress, 1888, there was a sharp and unpleasant controversy in the house as to which of the great national parties was to be credited with the overthrow of the "twin relic." The Republicans claimed the initiative and earnest prosecution of the work, until the end was in sight; the Democrats insisted that during the Cleveland administration "and only through his administration," said one congressman, "has this evil been brought to bay and extinguished."

THE NUMBER OF CONVICTIONS UNDER ANTI-POLYGAMOUS LAWS

The following report of convictions under the anti-polygamy laws was made to the house of representatives of the 50th congress, 1st session, under date of September 13th, 1888, by the acting United States attorney-general; and it may be observed that the number of convictions progressively increased through Cleveland's first administration, 1885-1889:

"There was one conviction in Utah in March, 1875; and one in April, 1881; in October and November, 1884, one in Idaho and three in Utah; in 1885, beginning with the March term, 39 in Utah and 16 in Idaho; in 1886, 112 in Utah and 20 in Idaho; in 1887, 214 in Utah and 6 in Idaho; and in 1888, 100 in Utah and 5 in Idaho—in all 589 convictions. There have been collected in Utah fines and costs in the above cases to the amount of \$45,956.90, and in Idaho to the amount

of \$2,351.10—in all \$48,208 of fines and costs, and in Utah in April, 1886, a forfeiture of \$25,000.

Very Respectfully,

[Signed] "G. A. JENKS,"

Acting Attorney-General.

The Speaker of the House of Representatives."¹

Of course there were many convictions after the date of this report to the house, that is, after September 13, 1888; for finally 1,300 were imprisoned for the violation of law in this kind.²

THE TRUE CAUSE OF INCREASED NUMBERS OF CONVICTIONS

It is due to the truth of history, however, to say that the increase in the number of convictions in the latter part of the Cleveland administration, was owing to the fact, not of increased vigilance or effectiveness or vindictiveness in the administration of the law but because the federal judicial appointees of the Cleveland administration were disposed to pass less severe sentences than their Republican predecessors had done; the element of mercy entered into the administration of the law, and men subject to trial and conviction, regarded the time as opportune to rid themselves of the charges against them, and came from retirement and exile, pleaded guilty, and often received but half the amount of penalty hitherto inflicted upon violators of the law in this kind.

Unlawful cohabitation cases under sentences passed by the Cleveland-appointed judges gave, almost invariably less harsh sentences than under their Republican predecessors, imprisonment often being omitted. In this connection also should be remembered the statement of President Taylor when going into retirement, that the severity of the crusade began in 1885 and was pushed to extremes in order to embarrass the then incoming Cleveland administration. It was while Judge Sanford, Cleveland's appointee for chief justice of the territory occupied the bench in Utah, that George Q.

1. *Congressional Record*, 50th Congress, vol. xix, part 10, p. 9231.

2. Cannon, *Deseret News*, October 18th, 1890.

Cannon went into court and pleaded guilty, as also did many other prominent brethren.

It appears that President Cleveland, like some Democratic members of the 50th congress, believed that the question of polygamy in Utah was a settled issue, for in his fourth annual message to congress he said:

"Though prior to March, 1885, there had been but six convictions in the territories of Utah and Idaho under the laws of 1862 and 1882, punishing polygamy and unlawful cohabitation as crimes, there have been since that date nearly six hundred convictions under these laws and the statutes of 1887; and the opinion is expressed that such a firm and vigilant execution of these laws and the advance of ideas opposed to the forbidden practices, polygamy within the United States is virtually at an end."³

The president also reported the progress of the escheat proceedings against the church as follows:

"Suits instituted by the government under the provisions of the act of March 3, 1887, for the termination of the corporations known as the Perpetual Emigration Fund Company and the Church of Jesus Christ of Latter-day Saints, have resulted in a decree favorable to the government, declaring the charter of these corporations forfeited and escheating their property. Such property, amounting in value to more than \$800,000, is in the hands of a receiver pending further proceedings, an appeal having been taken to the supreme court of the United States."⁴

Yet notwithstanding the satisfactory progress reported from these high sources against the plural marriage feature of the Church of the Latter-day Saints, still more drastic legislation against the polygamists of the Utah community was being urged upon congress. This legislation was crystallized in what was known as the Struble bill, of which Mr. Robert N. Baskin, representative of the Utah Gentiles at the capital, was the real author, in which fact he took great pride.⁵ It was, however, in congress called the Cullom-

3. *Messages and Papers of the Presidents*, vol. viii, p. 794.

4. *Ibid.*

5. See Baskin's *Reminiscences of Early Utah*, pp. 183-6. He refers to it with great satisfaction, and while saying that it did not pass, "its pendency was 'the last straw which broke the camel's back.'" (*Ibid.*, p. 186).

Struble bill, since Mr. Cullom of Illinois, introduced the measure in the senate, as Mr. Struble, of Iowa, did in the house; and in each case it was referred to the committee on territories, of which the two gentlemen named were the respective chairmen.

THE TEST OATH

The test oath of this bill was practically identical with the somewhat celebrated "Idaho test oath." This oath had been embodied in a territorial law of Idaho, approved by the governor—Bunn—on the 3rd of February, 1885. It had for its purpose the disfranchisement of the Latter-day Saints in Idaho. Its constitutionality was affirmed by the courts of Idaho, and the result had been that the Latter-day Saints in that territory were practically disfranchised. In the election of 1888, in order to rid themselves, if possible, of intolerable political conditions, large numbers of the Latter-day Saints withdrew from membership in the church, that they might qualify as electors by taking the test oath to the effect that they were not only not bigamists or polygamists, but that they were not even members of "any sect or organization which teaches, advises, or encourages the practice of bigamy or polygamy, or any other crime defined by law, as a duty or privilege resulting, or arising from the faith or practice of such order or organization." In some counties those who thus withdrew from the church were permitted to register and vote, in others they were denied that privilege by the arbitrary action of the registration and election officers. Large numbers of them voted, however, but failed of the attainment of their purpose since the anti-"Mormon" candidate for congress, Fred T. Dubois, Republican, was successful at the polls, over Jas. H. Hawley, Democrat. The successful Republican candidate, Fred T. Dubois, is the same man who a short time previously, while United States marshal for Idaho, and a bitter anti-"Mormon," boasted in open court that under the legislation then "law" in Idaho, that *"he had a jury impaneled to try un-*

lawful cohabitation cases that would convict Jesus Christ if he were on trial." He admitted having made the assertion when confronted with it in open court, and under oath.⁶ The boast reveals the spirit in which these laws were administered in Idaho.

THE TEST OATH HELD VALID BY THE SUPREME COURT

The validity of the "Idaho test oath law" was sustained by the supreme court of the United States, February 3rd, 1890, in its decision in the case of *Davis vs. Beason*.

The court also held that under the authority granted to the territory, its "legislature was authorized to prescribe any qualifications for voters, calculated to secure obedience to its laws." The court also held that the part of the law of Idaho "requiring every person desiring to have his name registered as a voter to take an oath that he does not belong to an order that advises a disregard of the criminal law of the territory, is not open to any valid legal objection to which our attention has been called."

A "TEST OATH" FOR UTAH SOUGHT

It was this decision that encouraged the Utah anti-"Mormon" "ring" to think a similar law could be enacted by congress to disfranchise the Latter-day Saints in Utah, and thus deliver the political control of the territory over to the minority who had so long hungered for it. The justification for this statement will be found in the fact that such a law was not necessary to extirpate polygamy and polygamous living, for men were being sent to prison by hundreds every

6. "The expression of Mr. Fred T. Dubois, was uttered a few days ago, the making of the assertion being admitted by him in open court under oath. (*Deseret News*, weekly, of May 19th, 1886, p. 279; see also *News* of Nov. 17th, 1886, p. 659, and *Ibid* for 7th and 14th of November, 1888. For account of the remarkable action of the Latter-day Saints of Idaho in withdrawing from the church to effect a political purpose, and the comments for and against such action; see *passim* daily impression of the *Salt Lake Herald and Tribune* from 1st to the 14th of November, 1886.

7. See *United States Reports*, sec. 133, pp. 299-302. Chief Justice Field delivered the opinion.

year.⁸ So successful were the operations of the law against these offenses that one of the Utah Commission, General John A. McClernand refused to sign with the rest of the Utah Commission the report for September 23rd, 1889, making recommendations increasing the severity of the laws and making more effective their already cruel administration; but on the contrary made a separate report from the majority, deprecating the newly proposed severity.

Even Mr. Baskin does not claim for the bill he formulated the virtue of being necessary to the suppression of polygamy, but says plainly—even bluntly—“The purpose of the bill was to wrest from the hands of the priesthood [i. e. the Mormon priesthood] the political power which it had wrongfully usurped and shamefully abused.”⁹

The Struble bill, however, though reported from the house committee and placed upon the house calendar never became a law. The reason was that a number of things culminated in the summer of 1890 which led to an action on the part of the church authorities, and of the church itself, which was to prove an important turning point in the history of the church in the New Dispensation. *This was the issuance of the celebrated Woodruff Manifesto, officially discontinuing the practice of plural marriages in the church.*

THE CULMINATION OF IMPORTANT THINGS IN 1890

Of the several things referred to as culminating in the summer of 1890, and producing this event, was consciousness on the part of the leading church authorities of the fact of the general helplessness of the church against the forces of the federal government arraigned against her. Hundreds of her leading elders were in prison; more hundreds had passed through prison terms; more hundreds had been in exile—all to no purpose; except to bear witness of the sincerity of the people in their acceptance of the principle for which they

8. *Utah Commission Report* for September, 1889, pp. 27, 37.

9. Baskin's *Reminiscences*, p. 184.

suffered. The church property, real and personal, had escheated to the federal government, and was now in its possession, in value about one million dollars. The constitutionality of the laws escheating this property had been affirmed by the supreme court of the United States. Every effort to escape the pressure of the federal laws and the policy of the federal government by acquiring statehood for Utah had failed.¹⁰ A most earnest official denial of many things charged against the church and the Latter-day Saint community, as well as a declaration as to many other things commonly believed to enter into and comprise its policy—the paper covering all the points of the “Mormon” controversy, past and present,—and signed by the first presidency, the entire quorum of the apostles, and their counselors, had evidently not impressed the country to win it to the side of the Latter-day Saints.¹¹

To this heart-moving appeal no favorable reaction was discernable. The hearts of men were steeled against the appeal. The very heavens seemed as brass over their heads!

MORE CULMINATING THINGS OF 1890

And now resuming the narrative of the culminating things of the fateful year 1890:

The courts had recently (November 20, 1889), decided that “Mormon aliens,” though in all things else qualified, could not become citizens of the United States, because of their membership in the “Mormon” church. Political control of Salt Lake City, a richer political asset for the party possessing it than the political control of the territory, was lost to the People’s party, which is to say to the Latter-day Saint community. The supreme court of the United States had affirmed the constitutionality of the Idaho test oath, and there

10. Although for a time, in 1889, there seemed good reasons to hope that statehood might be granted, of which further remarks in a more appropriate place.

11. *Deseret News*, weekly, of Dec. 21st, 1889, where the address, bearing date of Dec. 12th, 1889, is given in full. See also *History of the Mormons*, a brochure by George Q. Cannon, 1891, pp. 17, 18.

was the pendency of the Cullom-Struble bill in congress, embodying the same test oath as that of the Idaho law which meant the disfranchisement of the entire Latter-day Saint population of Utah, or a wholesale abandonment of membership of the church—and hence, if that obtained, its destruction. The congress seemed not only willing, but eager to enact this bill into law.

SOME SAINTS WEARY OF THE CONFLICT

There was a certain restiveness manifested among many of the church membership that desired the cessation of the conflict by concessions to the demands of the country respecting the plural marriage practices of the church. This was manifested by the number of those who were willing, against the general policy of the church leaders, to promise obedience to the anti-polygamy laws for the future and thus escape punishment; by the submission of the Constitution of 1887 for the proposed state of Utah, containing the following concession to the sentiment of the country: "Bigamy and polygamy being considered incompatible with a republican form of government, each of them is hereby forbidden and declared a misdemeanor." The declaration was made effective by providing penalties and making these parts of the Constitution unrepeatable and unamendable except with the approval of the congress of the United States and the proclamation of the president of the United States; this Constitution had been accepted by the people, by a vote of 13,195 in its favor, as against 504 who voted against it. There were murmurings and complainings among the people on account of the long-continued controversy, which gave no promise of coming to an end. "I hear of murmuring," said George Q. Cannon, in a notable sermon delivered on the 14th of July, 1889. "I hear of murmuring—this is a time of trial for the Latter-day Saints. We have now for upwards of four years been undergoing persecution. * * * One class have been greatly tried"—meaning those who were involved in the plural marriage

system of the church. He predicted that the others would also be tried and all would need the help of God equally and hence they should be united in sustaining each other.¹²

There was also the counsel of powerful non-"Mormon" friends, some of them among the foremost men of the nation, urging the church leaders to abandon this practice which arrayed the whole nation against the church and made defense of the Latter-day Saints so hopeless a task for them. The matter is alluded to in the sermon by George Q. Cannon cited above: "I have ever been assured hundreds of times, by men, too, of wisdom and discernment, that our overthrow was inevitable unless we conformed to the demands of public opinion and renounced all peculiarities of faith; that the world was arrayed against us, and that it was folly to suppose we could withstand these continued assaults upon us."

President Woodruff in like strain said: "I have been called upon by friends outside of the church, and urged to take some steps with regard to this matter. They knew the course which the government was determined to take. This feeling has also been manifested more or less by members of the church."¹³

A DAY OF FASTING AND PRAYER IS PROCLAIMED

A special day of fasting and prayer was appointed by the first presidency of the church "for all the Latter-day Saints throughout these mountains," on the 23rd of December, 1889—the eighty-fourth anniversary of the birth of the Prophet Joseph Smith—and faithfully observed by the Latter-day Saints. The purpose of the fast was thus described in the official announcement of it. The saints were to join in supplicating the Lord on that day for his Holy Spirit to be poured out upon his servants and upon all the saints as a witness that he was still with them. Also that the

12. Sermon in full *Deseret News*, weekly, July 20th, 1889.

13. *Deseret News*, weekly, Nov. 14th, 1881; also *Woodruff's Journal* for 1889-1890 *passim*.

enemies of Zion might be confounded in their wicked works and designs, and that the hearts of the rulers and people of the United States might be softened to the end that they might be induced to deal justly and mercifully with the saints, and be willing to hear their cause and grant to them those rights and privileges which belong to citizens who are true to the Constitution and institutions of the United States. "All this," said the announcement, "should be done in the spirit of meekness and faith. There ought to be no expressions or desires for wrath and judgment upon those who have persecuted, reviled, and falsely accused us, and who seek to oppress us, but rather that they may turn from their wicked ways and be led to do right."¹⁴

Hence the day of fasting was proclaimed. It was faithfully observed by the church, but so far as confounding the enemies of Zion, or making the people of the United States more friendly disposed towards the saints was concerned, it appeared to bring no immediate results; but it may have prepared the saints themselves in mind and heart for the mighty change then pending.

THE WOODRUFF MANIFESTO

It was in the midst of these conditions and threatening congressional legislative portents that President Wilford Woodruff faced the problem of issuing his now famous Manifesto, changing the long-continued policy of the church in respect of the practice of plural marriage. President Woodruff mentions the action in his daily kept *Journal* in connection with a number of commonplace matters connected with the routine administration of his office. The Manifesto was issued on the 25th of September. President Woodruff with his first counselor, George Q. Cannon, H. B. Clawson and others had recently returned from a visit to San Francisco,—21st of September—where they had met with such men as

14. The proclamation of the fast and the explanation of its purposes will be found in full in the *Deseret News*, weekly, of Dec. 21st, 1889.

Judge Morrill M. Estee, who had acted as chairman at the then recently held Republican convention at Chicago, which nominated Benjamin Harrison for president of the United States; with W. W. Stow, who brought about the interview between the brethren and certain prominent Southern Pacific Railway officials, and United States Senator Leland Stanford, of California;¹⁵ with Henry Biglow of the *San Francisco Examiner*, and others.¹⁶

On the 24th of September President Woodruff makes this entry in his *Journal*:

"September 24: I signed 25 recommends. I received 19 letters. I signed 23 school certificates—I met with three of the twelve apostles and my counselors upon an important subject."

Presumably the "important subject" was the issuance of the Manifesto. Following is the entry on the day of issuing the Manifesto:

"September 25: I have arrived at a point in the history of my life as the president of the Church of Jesus Christ of Latter-day Saints where I am under the necessity of acting for the temporal salvation of the church. The United States government has taken a stand and passed laws to destroy the Latter-day Saints on the subject of polygamy, or patriarchal order of marriage; and after praying to the Lord and feeling inspired, I have issued the following proclamation which is sustained by my counselors and the twelve apostles."¹⁷

The document was published as follows:

OFFICIAL DECLARATION¹⁸

"To Whom it May Concern:

Press dispatches having been sent for political purposes, from Salt Lake City, which have been widely published, to the effect that the Utah Commission, in their recent report to the secretary of the interior, allege that plural marriages are still being solemnized and that forty or more such marriages have been contracted in Utah since last June or during the past year; also that in public discourses the leaders

15. See *Woodruff's Journal, Ms.*, of April 23rd and 24th, 1889.

16. See *Woodruff's Journal, Ms.*, from 3rd to 16th September, 1890, *passim*.

17. That is to say with the three apostles named as being present at the meeting of the previous day. The other members of the twelve were absent in various parts of the church—four of them at Kanab and St. George, setting in order the affairs of the church at that point.

18. Usually called *The Woodruff Manifesto*.

of the church have taught, encouraged and urged the continuance of the practice of polygamy—

I, therefore, as president of the Church of Jesus Christ of Latter-day Saints, do hereby, in the most solemn manner, declare that these charges are false. We are not teaching polygamy, or plural marriage, nor permitting any person to enter into its practice, and I deny that either forty or any other number of plural marriages have, during that period, been solemnized in our temples or in any other place in the territory.

One case has been reported, in which the parties alleged that the marriage was performed in the Endowment House, in Salt Lake City, in the spring of 1889, but I have not been able to learn who performed the ceremony; whatever was done in this matter was without my knowledge. In consequence of this alleged occurrence the Endowment House was, by my instructions, taken down without delay.

Inasmuch as laws have been enacted by congress forbidding plural marriages, which laws have been pronounced constitutional by the court of last resort, I hereby declare my intention to submit to those laws, and to use my influence with the members of the church over which I preside to have them do likewise.

There is nothing in my teachings to the church or in those of my associates, during the time specified, which can be reasonably construed to include or encourage polygamy, and when any elder of the church has used language which appeared to convey such teaching he has been promptly reproved. And I now publicly declare that my advice to the Latter-day Saints is to refrain from contracting any marriage forbidden by the law of the land.

[Signed] "WILFORD WOODRUFF,"

President of the Church of Jesus Christ of Latter-day Saints."¹⁹

At the October conference following, this act of President Woodruff's was submitted to the church for its approval or disapproval. Following the reading of it at the morning session on the 6th of October, Elder Lorenzo Snow, of the council of the twelve—and the president of the council, moved the following action:

THE SNOW RESOLUTION

"I move that, recognizing Wilford Woodruff as the president of the Church of Jesus Christ of Latter-day Saints, and the only man on the earth at the present time who holds the keys of the sealing ordi-

19. *Deseret News*, weekly, of October 4, 1890, p. 476. This, editorially, is announced as the officially signed document, previous copies published by the associate press and other publications had condensed it "which poorly conveys the sentiment of the writer." (*Ibid.* See also *Millennial Star*, vol. lii, p. 648; also *Doctrine and Covenants* following sec. cxxxvi).

nances, we consider him fully authorized by virtue of his position, to issue the Manifesto which has been read in our hearing, and which is dated September 24th, 1890, and that as a church, in general conference assembled, we accept his declaration concerning plural marriages as authoritative and binding."

GEORGE Q. CANNON JUSTIFYING THE MANIFESTO

The vote in support of this motion was nearly unanimous.²⁰

George Q. Cannon followed with a discourse in justification of the action taken by President Woodruff. That justification was based upon two considerations: First, when a commandment is given to the children of men and they are effectively hindered by their enemies in carrying out that commandment, then it is for God to accept their offering and to require that work at their hands no more; second, the authority which gives a commandment has the right and power to revoke it.²¹

"It is on this basis," remarked Elder Cannon in his discourse, "that President Woodruff has felt himself justified in issuing this Manifesto."²² President Woodruff followed in the same strain.

WAS THE MANIFESTO A BELATED ACTION

One of the difficulties anticipated on the part of the church authorities was that some among the members of the church would regard this step as a belated action. If this was to be the termination of this long controversy—the surrender of the practice of plural marriage, why was not the surrender—as some had desired—made sooner, and the suffering of past years avoided? More than *one thousand three hundred men* had endured imprisonment for this principle, to say nothing of those who had suffered exile from their homes

20. See Minutes of Conference in *Deseret News*, weekly, of Oct. 11th, 1890, p. 526.

21. *Doctrine and Covenants*, sec. cxxiv, verses 49, 50. That revelation has reference to the failure of the saints to build the city and temple in Jackson county, Missouri.

22. The discourse in full is published in the *Deseret News*, weekly, of Oct. 18th, 1890, pp. 550-2.

by flight, even to foreign lands, while others had gone into retirement in their own land to escape the punishment provided by the law. Why was not this Manifesto delivered sooner and the people relieved of these trials through many years? On this head George Q. Cannon in the discourse delivered at the time the Manifesto was first read at the conference, rather admirably said: "*We have waited for the Lord to move in the matter.*"²³

A year later, referring to the same subject, President Cannon said:

"God gave the command [i. e. for plural marriage to be practised by the church], and it required the command of God to cause us to change our attitude. President Woodruff holds the same authority that the man did through whom the revelation came to the church. It required that same authority to say to us. 'It is enough. God has accepted your sacrifice. He has looked down upon you and seen what you have passed through, and how determined you have been to keep his commandments, and now he says, it is enough.' It is the same authority that gave us the principle. It is not the word of man. Now, it is for us to obey the law."²⁴

But notwithstanding all this assurance from the church leaders there were many of the church members that were distressed in their spirits over the action which the church had taken in respect of this principle. The Latter-day Saints were a sincere people. They had accepted this marriage doctrine as from God. They had suffered greatly on account of it. They were prepared to suffer more. The thought of surrendering it had never occurred to the great body of the church, and they were slow to be reconciled to the action of the authorities of the church.²⁵

TESTIMONY OF CHURCH LEADERS BEFORE THE MASTER IN CHANCERY ON THE SCOPE OF THE MANIFESTO

The reference to the testimony of the brethren before the

23. *Deseret News*, weekly, Oct. 18th, 1890.

24. Sermon at Logan, Nov. 1st, 1891. *Deseret News*, weekly, Nov. 21st, 1891.

25. *Juvenile Instructor*, vol. xxvi, p. 671. The same is reported as a synopsis in minutes of the Box Elder stake conference, published in *Deseret News*, weekly, of Nov. 7th, 1891, pp. 626-7. But the report in the *Juvenile* was by President Cannon, and given in full on the particular question here referred to.

master in chancery, previously referred to, has reference to testimony given before Judge Loofbourow, appointed by the supreme court of the territory to take testimony to determine what charitable uses the escheated church property could most justly be applied. The church authorities made application for the property to be turned over to them for the relief of "the poor and distressed members of the Church of Jesus Christ of Latter-day Saints, and to the building and maintenance of houses of worship for members of said church." The uses to which representatives of the federal government proposed to put the fund was for the benefit of the common schools.²⁶ This attempt to have the escheated property returned to the church, brought the presidency and other prominent brethren upon the witness stand, and raised the question of the interpretation of, and the scope of, the recently issued Woodruff Manifesto, a matter of grave importance. The witnesses were under oath and both the direct examination and the cross examination were most searching. The presidency, Wilford Woodruff, George Q. Cannon, and Joseph F. Smith; Lorenzo Snow, president of the quorum of the twelve apostles, and Anthon H. Lund, of the same council, all testified with the following result:

1. It was established most positively that all regarded the Manifesto as the result of the inspiration of God upon the mind of President Wilford Woodruff; that in effect it was the word of the Lord to the church forbidding the practice of plural marriage; but it did not deny the rightfulness nor the divinity of the doctrine of plural marriage. The

26. A party of citizens from Ogden represented that at least \$90,000 of the amount of money held by the receiver had been contributed by the counties constituting the northern subdivision of the first judicial district, to wit: Weber, Cache, Box Elder, Morgan, and Rich counties; and prayed that so much of the fund be set apart to be used solely for charitable purposes in said counties, under such restrictions as might be deemed proper. Another use, suggested by Richard W. Young at a late hour in the procedure, yet admitted for consideration, was that the fund be used for the benefit of a proposed "Young University." As already stated in a preceding page of this chapter, the master in chancery recommended the use of the escheated property for the benefit of the common schools of the territory, but ultimately the property, personal and real, was returned to the church.

same authority had directed the discontinuance of plural marriage by the church as had inaugurated it in the first instance.

2. In effect, though not in express terms, the Manifesto went to the matter of polygamous living in violation of the law, as well as to the contracting of plural marriages; the counsel of President Woodruff covered the whole scope of the laws of congress forbidding unlawful marriages and the relationships established thereby.²⁷

3. The practice of plural marriage by the church was definitely abandoned without the expectation of its renewal as long as the present order of things remains.

4. The prohibition of polygamy was to be universal, as well in foreign countries as in the United States—the decrees against its practice were effective in all the countries of the world.

Replying to Mr. Varian, who with Mr. Joseph L. Rawlins, represented the federal government in this hearing, President Woodruff said:—“*The Manifesto was intended to apply to the Church of Jesus Christ of Latter-day Saints everywhere in every nation and country. We are giving no liberty to enter into polygamous relations anywhere.*”

It could not be otherwise. The Church of Jesus Christ of Latter-day Saints is the church universal. It is not the church, etc., for the United States, or of England, but of the whole world; and when its general conference acted in this matter it acted for the church in all nations—the church in the whole round world. Its action prohibited plural marriage everywhere.

5. Anyone violating the inhibition of polygamy, pro-

27. It could not be otherwise. Once counseling submission to the laws of the land on the question of contracting plural marriages, inexorable logic would demand that it be extended also to polygamous living—unlawful cohabitation—equally a subject of congressional legislation; and said laws had been declared to be equally constitutional with those forbidding plural marriages, and therefore the church president could not say obedience should be given to one part of the law and not to the other.

mulgated by the Manifesto, was liable to excommunication from the church.²⁸

THE PRACTICE OF PLURAL MARRIAGE AND ITS RELATIONS
ENDED BY THE CHURCH

Thus the practice of the system of plural marriage in the church, clung to so tenaciously by the church leaders and the Latter-day Saints generally, terminated.

In this matter of plural marriage the Latter-day Saints are neither responsible for its introduction nor for its discontinuance. The Lord commanded its practice, and in the face of the sentiment of ages, and in opposition to the teachings of their own traditions, many of the saints obeyed the commandment, and in the midst of weaknesses, of great attendant difficulties, and dangers sought to carry out the law as revealed to them. For about half a century they maintained its practice in the face of opposition sufficient to appall the stoutest hearts. They defended it in the public press, proclaimed it from the pulpit, debated it on the platform with all who chose to assail it, and practiced it in their lives, notwithstanding fines and imprisonments and exile followed as consequences. A whole generation had been born and had grown to manhood and womanhood in this marriage system, and the affections of family ties were entwined with it. Then, under the pressure of suffering brought upon the people through the laws of the United States, the president of the church proclaimed its discontinuance, and the people with sorrowful hearts submitted to it, and there the matter rests. If the labors and sufferings of the church of Christ for this principle have done nothing more, this much at least has been accomplished—the saints have borne testimony to the truth. And it is for God to vindicate his law in his own time, and in his own way.

28. See proceedings before the master in chancery, Judge Chas. F. Loofbourow, published in *Deseret News*, weekly, of Oct. 24th and 31st, 1891, pp. 573-583, in the first number, and pp. 608-613 in the second; the second number, in synopsis, contains the arguments in the case.

STILL, WHY

And still, doubtless the question will persist: If it was to be of such temporary existence—introduced and then so soon dispensed with, why was it ever introduced to so plague the church, try the saints, afford such opportunities to their enemies for successful opposition to the church and array against it the prejudices and scorn of the world? For everywhere the saints were despised for this thing. There can be but one answer—perhaps two—to that question.

There was doubtless some law of righteousness associated with this principle of plural marriage else it would not have received the divine sanction of which God's word, the *Bible*, gives such unmistakable evidence,²⁹ some true thing connected with it that God's holy prophets of ancient times sustained, that required it to be brought forth in the "times of the restitution of all things spoken by the mouths of God's holy prophets since the world began;" hence it must be restored in the Dispensation of the Fulness of Times—which means also a dispensation of the fulness of the truth restored; and this our New Dispensation could not have been if this true feature of marriage had not been brought forth; that dispensation would have been by so much incomplete and lacked of fulness.

Being so restored it was fitting that God's church, however much of suffering it involved, should bear witness of it as true. That they did so, witness the evidence supplied by the chapters of this work dealing with this subject.

The other possible reason mentioned as justifying the introduction of plural marriage into the New Dispensation is the publicity value of it. Of course, it would be insufferable to mention such a thing if the principle itself were not true and pure and good and necessary to be established for completeness to the Dispensation of the Fulness of Times. But

29. See this *History*, chapter xlv.

plural marriage being all that is here said of it, I see nothing amiss in referring to it as possessed of a certain publicity value to the whole work of God. And I know of no single thing in the New Dispensation that has done so much to keep that dispensation and its major message before the world as this same principle of plural marriage and the practice of it by the church. It has kept the message well-nigh constantly before men; through the press, daily, weekly and monthly. It has been the incentive to the multiplication of books on "Mormonism" *ad libitum*. It has kept the New Dispensation before state legislatures and congress—house and senate. Before successive United States presidents and their cabinets. Before state and territorial courts; and time and again before the supreme court of the United States, and through that court has attracted the attention of leaders of thought in all the world.

One thing stands out in bold relief in this controversy respecting plural marriage—the surrender of the practice of it was no triumph for sectarian Christendom. The priests were soon distanced in the contest, and were nowhere in evidence at the finish. The controversy, in the last stages of it, was between the Latter-day Saints and the politicians, not with the priests, except as the latter stood afar off and shouted their support to their warring allies. It was to the force of effective government processes rather than to the power of the sectarian churches that the Latter-day Saints seemingly surrendered the practice of plural marriage. Scarcely to the state either; for as Mr. Varian, the United States district attorney for Utah, during the inquiry conducted before the master in chancery in the escheated property cases passionately exclaimed, after the testimony of President Woodruff *et al* was given to the court—and this according to the report of the proceedings was "shouted by Mr. Varian, his voice reaching an angry tone":³⁰

30. *Deseret News* account of the hearing, weekly, Oct. 31st, 1891.

"They [the Latter-day Saints] are not obeying the law of the land at all, but the counsel of the head of the church. The law of the land, with all its mighty power, and all the terrible pressure it was enabled to bring with its iron heel upon this people crushing them to powder, was unable to bring about what this man did in an hour in the assembled conference of this people. They were willing to go to prison; I doubt not some of them were willing to go to the gallows, to the tomb of the martyr, before they would have yielded one single iota."

And such was the truth in the case. The saints in this matter of surrendering the practice of plural marriage obeyed God, not man.

CHAPTER CLXIX

DEDICATION OF THE MANTI AND SALT LAKE TEMPLES—THE CHURCH AT THE PARLIAMENT OF RELIGIONS

THE next events in President Woodruff's administration are of a strictly ecclesiastical or religious character: among them the dedication of two temples, the one at Manti, and the other at Salt Lake City.

DEDICATION OF THE MANTI TEMPLE

The temple at Manti was dedicated in May, 1888. First there was a private dedication of it on the 17th by President Woodruff, George Q. Cannon and a number of the twelve apostles, among them Lorenzo Snow, president of the quorum, Brigham Young and F. M. Lyman; there were also a number of local leading brethren present. President Woodruff offered this first dedicatory prayer.¹

DEDICATION OF THE SEER STONE ON THE ALTAR OF THE MANTI TEMPLE

One item mentioned by President Woodruff about the private dedicatory services at Manti is of more than passing interest. "Before leaving," he writes, "I consecrated upon the altar the Seer Stone that Joseph Smith found by revelation some thirty feet under the earth (ground), and carried by him through life." This is the very Seer Stone that the Prophet Joseph Smith used part of the time when translating the *Book of Mormon*; the one he took from the well he was digging with his brother Hyrum, near Palmyra, for Mr. Clark Chase, and which he was falsely accused of taking from the children of Mr. Chase, spoken of in chapter x of this work.²

1. The same that was used at the public dedication of the temple a few days later, and found in full in the *Deseret News*, weekly, of May 23rd, 1888, p. 297.

2. See *Woodruff's Journal* from 13th of May to the 19th which gives an account of the journey to Manti—of the private dedication and the return journey to

The dedication of the Manti temple was at a time when many of the leading elders of the church were in retirement, avoiding arrest by United States officials, hence this private dedication that the leading authorities of the church might be present, and afterwards the public dedication. Daniel H. Wells was appointed president of the temple, Anthon H. Lund to be his chief assistant, and Moses F. Farnsworth as chief recorder. On the 21st of May the public dedicatory services took place, continuing through three days. Immense throngs were in attendance, coming from all the surrounding settlements of southern Utah with many leading brethren and sisters from all sections of the church territory.

SPIRITUAL MANIFESTATIONS DURING THE DEDICATION

During the services and on each of the three days there were spiritual manifestations enjoyed by some of the saints present. In some cases the speakers were reported to be surrounded by halos, and others heard strains of music and soft chorus singing, to which many scores gave their names as witnesses. Others claim to have seen the spiritual personages of early leading elders of the church.

"A bright halo of light was seen by a number of persons over and around the heads of the following speakers—*viz*: Lorenzo Snow, Jacob Gates, Robert Campbell, John Henry Smith, Francis M. Lyman, John W. Taylor and A. M. Cannon. Brother Canute W. Peterson, of Ephraim, [a very reliable and able man of affairs], observed this halo around the heads of all the speakers. While the public dedicatory prayer was being offered by Brother Lorenzo Snow, near the middle of the prayer, during a pause, the words 'Hallelujah, hallelujah, the Lord be praised,' was uttered by a voice in a very soft and melodious tone, heard by Brother Lewis Anderson, one of our assistant recorders here."

"On the 21st of May, before the opening exercises commenced, Brother A. C. Smyth, the chorister, seated himself at the organ, and rendered a piece of sacred music, a selection from Mendelssohn, at the

Salt Lake City. See also Tucker's *Origin, Rise and Progress of Mormonism*, chapter ii; also Kennedy's *Early Days of Mormonism*, ch. ii. What became of the Seer Stone immediately after this is not known. The writer knows, however, that it was in the possession of the president of the church for possession of it by him was a matter of conversation between President Joseph F. Smith and himself; and the writer has reasons for knowing that it is now in possession of the church—this year of 1930.

conclusion of which, persons sitting near the center of the hall, and also on the stand at the west end, heard most heavenly voices and singing—it sounded to them most angelic, and appeared to be behind and above them, and they turned their heads in the direction of the sound, wondering if there was another choir in some other part of the temple.”

The names of fourteen persons follow this statement as being witnesses of this spiritual phenomenon.³

CAPSTONE OF THE SALT LAKE TEMPLE LAID

The capstone of the Salt Lake temple was laid on the 6th of April, 1892, thirty-nine years from the time the corner stones were laid. It was estimated that about forty thousand people were present, and participated in the exercises.

The act of laying the capstone was quite dramatic. There was a procession led by bands of music. The Temple Square was crowded, as were also the adjacent streets. The platform from which the services were conducted had been erected on the south side of the massive granite pile that made a noble background for the group of leading church authorities, four of whom only were general authorities of the church when the corner stones of the temple were laid thirty-nine years before. The day was fair and beautiful, with a gentle, warm breeze occasionally passing over the assembled multitudes. There were anthems by the choir and old-time hymns in which the great audience joined. The house tops and windows of near by buildings were crowded by the people. At twelve o'clock, noon, the formal services began. After prayer—by Joseph F. Smith, second counselor in the presidency—the anthem by Stephens, “Grant Us Peace, O Lord,” was rendered. The anthem was worthy of the ancient psalmist himself, and at his best.

“*The capstone is now ready to be laid!*” shouted the architect from the top of the building. President Woodruff, stepped forward and said:

3. Accounts of these manifestations were published at the time, *Deseret News*, weekly, for May 30th, 1888; also in *Millennial Star*, vol. 1, pp., 521, 522. Anti-“Mormon” prints in Salt Lake City of the period ridiculed the reports and others deplored the reports as ministering to superstition.

"Attention, all ye House of Israel, and all ye nations of the earth. We will now lay the top stone of the Temple of our God, the foundation of which was laid and dedicated by the Prophet, Seer, and Revelator, Brigham Young."

He pressed an electric button, and the stone settled to its place; at the same moment the great crowd led by Elder Lorenzo Snow gave the sacred shout:

"Hosanna! Hosanna! Hosanna! to God and the Lamb! Amen! Amen! and Amen!"

This was thrice given, with the waving of handkerchiefs and every expression of joy. A moment later the assembled thousands led by the choir sang Zion's most soul-stirring congregational hymn—

"The Spirit of God like a fire is burning,
The Latter-day Glory begins to come forth," etc.

"The spectacle and effect of the shout," said a chronicle at the time, "was grand beyond description, the emotions of the multitude being stirred up in the greatest intensity of devotion and enthusiasm."

"The topstone, and the granite block upon which it immediately rests," says Elder Talmage in his "House of the Lord," "form a sphere. Within the lower half a cavity had been prepared; and in this were placed certain books and other articles, so that, as the capstone was laid, it formed a secure and massive lid to this stone receptacle. The stone contains a copy of the *Holy Bible*, *Book of Mormon*, *Doctrine and Covenants*, *Voice of Warning*, *Spencer's Letters*, *Key to Theology*, *Hymn Book*, *Compendium*, *Pearl of Great Price*, and some other books; also photographs of Joseph and Hyrum Smith, Brigham Young, John Taylor, Wilford Woodruff, George Q. Cannon, and Joseph F. Smith, a photograph of the temple as it appeared at the time. * * * Later in the day, the topstone was surmounted by the great statue—a figure intended to represent Moroni, the heavenly messenger who ministered to the youthful prophet, Joseph Smith, in 1823. The figure, over twelve feet in height, is of copper, heavily gilded. It is in the form of a herald with a trumpet at his lips."⁴

4. *The House of the Lord a Study of Holy Sanctuaries, Ancient and Modern*, by James E. Talmage, one of the twelve apostles of the Church of Jesus Christ of Latter-day Saints, illustrated, 1912, *Deseret News* print, p. 155.

Under the capstone of the temple was laid a fine polished copper plate engraved by David McKenzie with the following information upon it:

HOLINESS TO THE LORD

The Temple Block Consecrated and Ground Broken for The
Foundation of This Temple, February 14th, 1853.

The Corner Stones were Laid April 6th, 1853, Commencing
At the Southeast Corner.

GENERAL CHURCH AUTHORITIES

April 6, 1853

First Presidency—Brigham Young, Heber C. Kimball, Willard Richards.

Twelve Apostles—Orson Hyde, Parley P. Pratt, Orson Pratt, Wilford Woodruff, John Taylor, George A. Smith, Amasa M. Lyman, Ezra T. Benson, Charles C. Rich, Lorenzo Snow, Erastus Snow, Franklin D. Richards.

Patriarch to the Church—John Smith, son of Asael.

First Seven Presidents of Seventies—Joseph Young, Levi W. Hancock, Henry Herriman, Zera Pulsipher, A. J. Rockwood, Jedediah M. Grant, Benjamin L. Clapp.

Presiding Bishop—Edward Hunter.

T. O. Angell, Jos. D. C. Young, architects.

April 6th, 1892

First Presidency—Wilford Woodruff, George Q. Cannon, Joseph F. Smith.

Twelve Apostles—Lorenzo Snow, Franklin D. Richards, Brigham Young, Francis M. Lyman, George Teasdale, John W. Taylor, Anthon H. Lund, Moses Thatcher, John H. Smith, Heber J. Grant, Marriner W. Merrill, Abraham H. Cannon.

Patriarch to the Church—John Smith, son of Hyrum.

First Seven Presidents of Seventies—Jacob Gates, Seymour B. Young, C. D. Fjeldsted, John Morgan, B. H. Roberts, George Reynolds, Jonathan G. Kimball.

Presiding Bishop—William B. Preston.

Robert T. Burton, John R. Winder, counselors.

The capstone was laid April 6th, 1892, by President Wilford Woodruff.

RESOLUTION TO COMPLETE THE TEMPLE IN ONE YEAR

Apart from the main event the chief thing attending the laying of the capstone was the offering of a resolution by Elder Francis M. Lyman, of the council of the twelve, as follows:

RESOLUTION

“Believing that the instructions of President Woodruff, respecting



THE ANGEL MORONI

On the pinnacle of the chief tower of the Salt Lake Temple
(east), and standing on the capstone

the early completion of the Salt Lake temple, is the word of the Lord unto us, I propose that this assemblage pledge themselves, collectively and individually, to furnish, as fast as it may be needed, all the money that may be required to complete the temple at the earliest time possible, so that the dedication may take place on April 6th, 1893."

The resolution was put to the meeting, that it might have the endorsement of all Israel. The result was a deafening shout of "aye" from the assembled host.

Elder Lyman then stated that he would head a subscription list with a donation of one thousand dollars to aid in the attainment of the object expressed in the resolution.⁵

Accordingly the church undertook the accomplishment of this task, and successfully carried it through, although the undertaking was immense and many doubted the possibility of its achievement. It was completed, however, though the last finishing touches to the interior of the building were made in the afternoon of the 5th of April, the day preceding the day of dedication. In the evening of that day the temple was thrown open for general inspection; not only were members of the church admitted, but many honorable men and women who were not members of the church were invited to the number of over one thousand, and they passed through the temple from basement to top. Giving honorable members of the non-"Mormon" community an opportunity to go through this sacred building, was attended with the happiest results. It was greatly appreciated and highly spoken of by the non-"Mormon" press of the city.

OFFICIAL DAY OF DEDICATION

The official day of the dedication was the 6th of April, 1893,—forty years from the laying of the corner stones already described in these pages. Dedicatory services, however, were held daily—at which the dedicatory prayer was always read from the 6th of April to the 18th of May inclusive.

5. Minutes of the Annual Conference, *Deseret News*, weekly, for April 9th, 1892.

Generally two sessions were held each day, but on the 7th of April, an evening session was added. Children under eight years of age not being baptized members of the church, were not admitted to the general sessions, special days were set apart for their attendance. April 21st and 22nd, Friday and Saturday, were reserved for Sunday School children, under the age for baptism.

The attendance at the dedicatory services of the Salt Lake temple is not definitely known, since many attended more than one of the many sessions held. The attendance of course was by card, and the least number in attendance was at the evening session of April the 7th—this service being arranged to accommodate the overflow from previous sessions of that day; and even at that session 2,100 were present. At other sessions more than 2,600 passed through the doors. "Estimating the five children's sessions as being attended by 12,000, half of whom had not attended before," says the *Deseret News*, editorially, "it is a thoroughly conservative calculation to say that the dedication services have been attended by 75,000 people."⁶

THE CHURCH AT THE WORLD'S PARLIAMENT OF RELIGIONS

It was in this same year of the temple's dedication, 1893, that the church sought a hearing at the World's Parliament of Religions, held in connection with the World's Columbian Exposition at Chicago. The idea of the World's Parliament of Religions originated with Mr. Charles Carroll Bonney in the summer of 1889, who, in the *Stateman's Magazine* of that year, set forth his views. The chief things to be accomplished by such a parliament, were authoritatively set forth in part as follows:

"To bring together in conference, for the first time in history, the leading representatives of the great historic religions of the world.

To show to men, in the most impressive way, what and how many important truths the various religions hold and teach in common.

6. *Deseret News*, weekly, May 6th, 1893.

To promote and deepen the spirit of human brotherhood among religious men of diverse faiths through friendly conference and mutual good understanding. * * *

To set forth, by those most competent to speak, what are deemed the important distinctive truths held and taught by each religion, and by the various chief branches of christendom."⁷

The promoters of the parliament had failed for some reason to send any literature, or any invitation whatever to the authorities of the Church of the Latter-day Saints to participate in this world's great gathering of religions; but it was determined by the church authorities to seek representation.

"Appreciating the value and importance of such a parliament as this is set forth to be," said the presidency in a communication to Mr. Charles C. Bonney, president of the World's Congress Auxiliary, "we are solicitous that the Church of Jesus Christ of Latter-day Saints should be represented; and present for consideration of the eminent religionists who will in this congress be assembled, what we regard as the 'supreme truths,' and 'distinguishing characteristics' of our faith."

In support of the desirability of such representation they added:

"It will be scarcely necessary for us to call your attention to the fact that an abiding interest centers in what the world calls 'Mormonism;' that its purely American origin will make it of special interest in such a religious parliament as the one proposed; that its success in the face of the stupendous opposition it has encountered gives it the right to be heard in such an assembly by its own accredited representative. All this we believe will be patent to you, and we therefore respectfully ask that the privilege be accorded us of sending a delegation to represent the Church of Jesus Christ of Latter-day Saints at the World's Religious Congress."⁸

No answer was received to this communication, and after waiting ten days a representative of the church was sent to inquire into the causes of the delay, and to personally solicit

7. *The World's Parliament of Religions*, Barrows, chairman of the general committee, 1893, vol. i, p. 18. The two volumes of this work constitute the official report of the parliament.

8. *Improvement Era*, July, 1899, vol. ii, pp. 676-7, where the letter of the presidency is given in full.

a representation and a hearing. The representative of the church appointed to this undertaking was Elder B. H. Roberts of the first council of the seventy. In the interview with President Bonney the representative learned that the letter of the first presidency had been referred to the general committee of the management of the parliament, and there was much difference of opinion as to just what reply ought to be made to the application for a hearing. The prevailing opinion was that the church ought not to be admitted to representation, for the reason that it would doubtless prove to be a disturbing element in the parliament. Replying to the inquiry what grounds the committee had for thinking the church of the Latter-day Saints would be a disturbing element in the parliament, President Bonney answered "because of the great prejudice that existed against the church on account of its plural marriage system." "How would you answer," said Mr. Bonney to the representative of the church interviewing him—"the objection urged against the representation of your church in the parliament because of its belief and practice of polygamy?" The answer was that such an objection to the admission of the Church of the Latter-day Saints to such a parliament as was to assemble ought not to be considered for a moment. The oriental religions, a number of which at least tolerated the practice of polygamy, were not barred from representation in the parliament on that account; and if they admitted un-christian and polygamous religions from the east they ought not to bar those that were considered un-christian and polygamous from the west.⁹ In the second place, the Church of the Latter-day Saints had officially announced the discontinuance of plural marriages and therefore it was not

9. As a matter of fact, the management of the parliament had been at great pains to induce representatives of oriental religions tolerating polygamy, to be present and participate in the parliament, and they actually admitted to the parliament a representative of the Mohammedan faith—Mohammed Alexander Russell Webb—who was permitted to deliver two addresses in explanation and defense of his religion, including polygamy, his speech being reported in the official record of the parliament, published by Rev. John H. Barrows, chairman of the general committee of religious congresses, vol. ii, pp. 989-96, and 1040-52.

a matter that should be considered when the question was discussed as to whether it should be admitted to the parliament, as reference to its marriage system need form no part of the statement of its faith further than to announce the official discontinuance of the practice. It was further urged upon Mr. Bonney's attention that the church had been accused of prosecuting its propaganda only among the ignorant, and that it would not dare to come into contact with the enlightenment of the age and of civilization; but now it proposed to come where the rays of religious light and truth were supposed to be focused, and place a statement of its doctrine and message to the world side by side with the creeds of all other religions; and for the parliament to object to its admission after such charges had been made against it, would be inconsistent with the character of the great gathering and would come with bad grace from officers of the parliament.

The outcome of this interview and one or two others had with Mr. Bonney and Reverend John Henry Barrows, chairman of the parliament meetings, and after much correspondence on the subject, was that the representative of the Church of the Latter-day Saints was to be admitted to the parliament, and was to make the address which meantime had been prepared and submitted in writing to these gentlemen, and pronounced by them a "good paper."

A HEARING IN A CORNER REFUSED

The time of the parliament's setting was drawing to a close when word was sent to the representative of the Church of the Latter-day Saints requesting him to deliver his address on the 25th of September, in "Hall 3," one of the committee rooms at the side of the great Columbus Hall where the main body of the parliament assembled, and was known as the "Scientific Section of the World's Congress Auxiliary," and capable of seating perhaps from fifty to a hundred people. The representative of the Church of the Latter-day Saints an-

swered that he would be pleased to make an address before the gentlemen who were wont to gather in the "Scientific Section," provided such address would not bar him from making his address before the main parliament in the Hall of Columbus. In reply the representative was informed verbally by Reverend Dr. Barrows that the hearing in "Hall 3" was the only hearing intended to be granted the "Mormon church." In answer to this the representative replied through a written note to the effect that to ask him to make his address in "Hall 3," and have that the only hearing that "Mormonism" was to have, looked very like an effort to "sidetrack" the church he represented; for as a matter of fact, under the circumstances proposed by Mr. Barrows, the great parliament would hear of the "Mormon faith and church either not at all, or else only as in a corner and darkly." A hearing such as could be obtained in "Hall 3" was not the kind of hearing the "Mormon church" had asked for or could accept. She asked to speak through her representative in the full parliament before all the world, having full time (half an hour) allotted to her, as to other religions, in which to proclaim what to her were the great truths of her faith. If that could not be accorded her by the parliament, she would be content with the distinction of being the one voice in all the world that could not be heard in such an assembly, and would seek other means for declaring her views, and announcing her mission.

That terminated the matter so far as the parliament was concerned; but the representative of the Church of the Latter-day Saints made a statement for the press covering the whole treatment of the church he represented, which appeared in the *Chicago Inter-Ocean* of September 28th, in the form of an open letter to Charles C. Bonney, president of the World's Congress Auxiliary, and to Reverend Dr. John Henry Barrows, chairman of the general committee of the Parliament of Religions.¹⁰ A synopsis of the open letter was sent out by

10. The whole subject is treated at length in a series of three articles under the title "The Church of Jesus Christ of Latter-day Saints at the Parliament of Religions,"

the associated press and widely commented upon editorially, especially by the great Chicago dailies, and quite generally adversely to the managers of the parliament, who attempted no defense of their treatment of the Church of the Latter-day Saints.¹¹

PRESS COMMENT

Comment upon the treatment of the representative of the church was very widespread. Of these the comment of the *Chicago Herald* of October 3rd, 1893, may be said to be typical and for that reason is given here:

"At the last moment he [the church representative] was notified that he could not read his paper before the regular congress, but might, if he pleased, speak to a select assemblage in another hall. This was most discourteous treatment. The fact that Elder Roberts is a Mormon had nothing to do with the case. The gathering at the Art Institute is a parliament of religions—not a parliament of Christians or a parliament of monogamists. The people in attendance knew what they might expect when they accepted invitations to the congress. If they desired to hear only what was entirely agreeable to them they might better have stayed away. The slight put upon Elder Roberts was unjustified and will detract from the value and the reputation of the whole gathering."¹²

Improvement Era, for 1899, beginning with the June number. In these articles will be found all the correspondence and interviews between the representative of the church and the authorities of the parliament, including the open letter to them published in the *Chicago Inter-Ocean*. The address prepared for the parliament is also published in *Defense of the Faith and the Saints*, 1907, vol. i, pp. 7-22.

11. *Chicago Inter-Ocean* of Sept. 28, 1893. Also *Improvement Era* for Aug., 1899, pp. 764-66.

12. *The Chicago Herald*, editorial of Oct. 3rd, copied into the *Deseret News*, weekly, of Oct. 7th, 1893.

CHAPTER CLXX

CONTEST OF THE TABERNACLE CHOIR AT THE CHICAGO COLUMBIAN EXPOSITION—LATTER-DAY SAINT HYMNOLGY

IT WAS during this period of the World's Parliament of Religions that the Salt Lake Tabernacle Choir visited the World's Fair at Chicago and entered the musical contest of choirs held in connection with the World's Columbian Exhibition. Four choirs entered the contest and the prizes were \$5,000 and \$1,000 respectively. The contesting musical organizations were, two choirs from Scranton, Pennsylvania—the Scranton Choral Union and the Scranton Welsh Choir, the Cleveland, Ohio Choir, and the "Mormon" Tabernacle Choir, Salt Lake City. The first prize was awarded to the Scranton Choral Union, the second to the "Mormon" Tabernacle Choir, Evan Stephens, conductor and Joseph J. Daynes organist. The numbers of the competition were: "Worthy Is The Lamb," from Handel's "Messiah;" "Blessed Is The Man Who Fears Him," from Mendelssohn's "Elijah;" and "Now the Impetuous Torrents Rise," from the Oratorio, "David and Saul," by David Jenkins.

ACHIEVEMENT OF THE TABERNACLE CHOIR AT THE WORLD'S COLUMBIAN EXPOSITION

It was a marked distinction to win even second place in such a contest and on such an occasion, and time, and place. The contest was held on the 8th of September, 1893. The respective choirs were nearly even in numbers, two hundred and fifty members in each; though all told, counting the friends of the Tabernacle Choir, the Utah company numbered over four hundred, among whom were the presidency of the church, Presidents Wilford Woodruff, George Q. Cannon and Joseph F. Smith.

CONCERTS EN TOUR

En route to Chicago the choir gave a concert in the

Auditorium at Kansas City. Also they visited Independence, Missouri—Zion! The reception at this great center of interest and of past experience and of future hope in its relation to the work of God, was generous on the part of the Missouri citizens, and greatly to the delight of the visitors, singing on the temple site, dedicated as such by the Prophet Joseph Smith, sixty-two years before. A brief impromptu concert was also given in the Town Hall at Independence, where the entire group of Utah people were welcomed by the mayor with a response by President Woodruff. The mayor hailed the visitors as "American freemen from a land of fruits, of flowers, of milk and honey;" and he received them as the representative of the citizens of Independence, Missouri, "a broad open people, free from bigotry, generous, law-abiding, God-fearing and lovers of liberty;" and in their name and behalf he extended fellowship and a hearty welcome to Independence. Both Presidents Woodruff and Cannon made response in a like friendly spirit, expressing pleasure at the cordial reception given the whole Utah group.

The choir continuing its tour gave a concert in the Exposition Building at St. Louis. Following the day of the contest they gave a concert in the Music Hall, Chicago. Tempting offers were made by Major Pond, noted promotor of public entertainments, to the Utah singers to give concerts in Carnegie Music Hall, New York; also in Boston, Washington, and Philadelphia; but time limits made it imperative that they return home, which they did, but singing at Omaha, *en route*.

UTAH DAY AT COLUMBIAN EXPOSITION

Following close upon the heels of the choir, was the Salt Lake Chamber of Commerce and their friends, carried by special train, arriving in Chicago in time for the contest and to participate in Utah Day celebration at the Fair, fixed upon for the 9th of September, following the day of the choir contest, and occurring on the sixty-third anniversary

of the creation of Utah territory by act of congress. Governor Caleb W. West and the train load of Commercial Board members and their friends attended the Tabernacle Choir contest as the members of the choir and their friends attended the Utah Day celebration, and added greatly to the interest of that occasion. Both Governor West and Presidents Woodruff and Cannon made addresses on that occasion, and the event passed off with mutual satisfaction.

HYMNOLOGY OF THE LATTER-DAY SAINT CHURCH

Here in connection with this visit of the Tabernacle Choir to Chicago and engaging in this contest which brought Latter-day Saint musical performance to a great climax, a word may be said with reference to Latter-day Saint hymnology in a general way.

Since it is natural for man to express his highest emotion, perhaps, in music and especially in sacred music, it would be expected that the highly religious emotions attendant upon the religious events of the church of the New Dispensation, would be to give birth to an hymnology and to music of a somewhat special kind. This it has doubtless done.

INSPIRATION SOURCE OF HYMNS

In the first place there are the unique events of the New Dispensation, the remarkable first vision of Joseph Smith, the revelations that resulted in bringing forth the *Book of Mormon*, the joy and importance of its assurance of an enlarged message of the Christ, but tinged with the sadness that goes with the revealment of what, on the whole, must be thought upon as the sad and melancholy experiences of the peoples and nations of ancient America. The strange bringing forth of the church in the New Dispensation; the persecutions endured, the wonderful experiences of the first great Prophet, his final martyrdom, the inspiring hopes of reunion with him and with all saints in the renewal of the hopes of an early resurrection and its joys, which the New Dispensation

gives. The songs of the exodus across the plains and over the mountains; the celebration of the "Mountains High," the new temple, the sending forth of the message to the nations, the gathering of the people from all lands—these stirring events and emotional hopes could not fail of producing song and anthem contributions to the world's music somewhat unique, and rich, though the great Oratorio of the New Dispensation remains to be written.

GENERAL CHARACTER OF HYMNOLOGY

With reference to the general character of this new hymnology and the music created or adapted for it, it may be said not to resemble the solemn grandeur of vatican or cathedral music; nor the heavy tropes of German composition; nor yet does it resemble the hysterical thinness of modern revival hymnology of early American days, or the more recent Moody and Sankey melodies of the same school. It is more nearly allied, I am assured by those who know, to the lighter English sacred music than to any other class, and yet some shades lighter in vein than this. Sacred earnestness touched with joy would be my own characterization of it, as typified in such examples of hymns and anthems as the following. The light aria or pastoral in "Joseph Smith's First Prayer" by George Manwaring—

"O, how lovely was the morning," etc.

The message of the angel Moroni revealing the existence of the *Book of Mormon*, by Parley P. Pratt:

"An angel from on high, the long, long silence broke," etc. As sample of a touch of melancholy and sadness coming into Latter-day Saint hymnology from the *Book of Mormon* people, see Parley P. Pratt's hymn beginning—

"Oh, who that has searched, in the records of old,
And read o'er the last scenes of woe," etc.

Also the ballad-like hymn—

"Oh stop and tell me red man, who are you, why you roam?" etc.

That sunburst of the New Dispensation, also by Elder Pratt—

“The morning breaks, the shadows flee,
Lo, Zion’s standard is unfurled,” etc.

Hymns dealing with the New Dispensation are usually light and joyous, and full of exaltation, the one by William W. Phelps—and composed for the temple dedication at Kirtland is of the type.

“The Spirit of God like a fire is burning,

The latter-day glory begins to come forth,” etc.

To this class belongs Philo Dibble’s contribution—though a bit touched with old fashioned straining to make its measures meet requirements—

“The happy day has rolled on,

The truth restored is now made known,” etc.

HYMNS IN MEMORY OF THE PROPHET

In memory of the Prophet and the sadness of his fate the list is long, comprising John Taylor’s noble hymn, beginning—

“The Seer, the Seer, Joseph the Seer,
I’ll sing of his memory ever dear,” etc.

Also Phelps’—though little sung now—

“O give me back my Prophet dear,
And Patriarch, O, give them back,” etc.

And also Phelps’—seldom sung—

“Come to me, will ye come to the saints that have died.”

Another hymn by the same author, on the same theme, is very frequently sung and with great eclat, and joyously—

“Praise to the man who communed with Jehovah,
Jesus anointed that Prophet and Seer.”

Also in the same spirit, and which, while applicable to every prophet who comes to be the prophet, seer, and revelator of the church, yet this hymn was composed by its author, William Fowler, with the first Prophet in mind, and him it celebrates:

"We thank thee, O God, for a prophet
To guide us in these latter days."

The ordinances of the gospel are celebrated: Baptism
by the solemn hymn—

"Lo, on the water's brink we stand
To do the Master's will," etc.

THE HOLY SACRAMENT CELEBRATED

The holy sacrament of the Lord's Supper is a fruitful source of inspirational hymn writing to Latter-day Saints, and is richly and beautifully and sacredly wrought out in fine spirit. In this group of hymns is the one by Eliza R. Snow Smith, wife of the Prophet Joseph Smith, beginning—

"How great the wisdom and the love,
That filled the courts on high, etc."

A humbler poet, Andrew Dalrymple, contributes a hymn on this subject, most excellent for combining prayer, admonition, and faith in the beautiful mystery of the sacrifice—"salvation purchased on that tree," beginning—

"O Lord of Hosts, we now invoke
Thy spirit most divine," etc.

John Nicholson, a great soul, on this theme has written a noble hymn, the first verse of which has become a solemn recitative prologue to the sacrament when administered to the young:

"While of these emblems we partake,
In Jesus' name and for his sake,
Let us remember and be sure,
Our hearts and hands are clean and pure."

THE RESURRECTION

The great theme of the resurrection, with the hope of its fulfillment drawn nearer by the New Dispensation, as might be expected inspired many hymn writers to treat the theme. First among these is Wm. Clayton's "Resurrection Day"—full of sadness because of memories both of Missouri

and Nauvoo, but full of hope founded on the assurance in the half refrain in the close of each verse. The hymn, almost a dirge—begins—

“When first the glorious light of truth
Burst forth in this last age.”

Of later date is E. L. Sloan’s:

“Mourn not the dead who peaceful lay
Their weary bodies down.”

Rich in its fine comparison of awakening spring, and enfranchised life from the tomb.

Henry W. Naisbitt has contributed several very noble hymns to this great theme, one is—

“Rest, rest for the weary soul.”

It contains in two lines the finest poetic imagery I know:—

*“Rest, rest where the gates are closed
With each evening’s setting sun.”*

It is sweetly set to appropriate music, the composition of George Careless, of whom more later.

PHILOSOPHY

The theme of gathering to Zion and her redemption, the Christ and his atonement, admonition to righteousness, even the philosophy of the New Dispensation does not escape attention, nor, of course, the mountains and the joy of them; the weary trek of the saints to them by “covered wagon” ox-drawn, and the handcart painful journey are fruitful sources of Zion’s songs and hymns of the last days. Of the philosophical group, unusual to hymn composition, is William W. Phelps’ hymn:

“If you could hie to Kolob in the twinkling of an eye.” This hymn might well be considered the voice of the doctrine of “eternalism;” and contains in nine verses more fundamental philosophy than many solemn tomes written on that subject by the learned among men. To the same class, though limiting itself to the great doctrine of pre-existence of the spirit and

life of man and his future union with the Father, is Eliza R. Snow Smith's—

“O, my Father, thou that dwellest

In that high and glorious place,” etc.

This has become known as the typical “Mormon” hymn; and was so sung as a solo throughout the Tabernacle Choir’s tour to the World’s Columbian Fair and Choir Contest.

To this unusual class of hymns also should be added the noble ode to “Truth” by John Jaques—

“O say, what is truth? Tis the fairest gem

That the riches of worlds can produce.”

THE GATHERING—COME, COME YE SAINTS

Of the many gathering and trek-to-Zion hymns, the best known, and perhaps the most dearly loved, is the hymn that was composed at the request of President Brigham Young for a hymn of encouragement and faith that would bring comfort and joy to the saints in their toilsome journey over the plains and the mountains. In response to this request made to him personally, Wm. Clayton gave to the saints this soul-stirring hymn—

“Come, come ye saints, no toil nor labor fear,

But with joy wend your way,” etc.

It is within the truth to say that this hymn has brought more joy to the hearts of Latter-day Saint Israel than any other song or hymn that has been written, and its mission did not end with the “covered wagon” period of the saints gathering to Zion, its popularity seems to increase with the passing years.

MORE AMBITIOUS MUSICAL EFFORTS

In addition to the hymns created out of the spiritual and adventurous experiences of the New Dispensation are the more ambitious productions of anthems, odes, and cantatas. Among these, and the few named are not in disparagement of those not mentioned, are Evan Stephens’

"Grant Us Peace, O Lord," words and music by the same author, and which for beauty of expression, and balance, and deep religious emotion, is worthy to be accounted classic. By the same author is the soul-stirring "Hosanna Anthem," composed for the dedication of the Salt Lake temple. He is also the author of two cantatas, "The Vision," celebrating Joseph Smith's first vision; and "The Martyrdom," dealing with the death of Joseph Smith. B. Cecil Gates, grandson of Utah's great Pioneer, President Brigham Young, is the author of "The Restoration," a cantata. "The Plan of Salvation" is the ambitious offering of Henry E. Giles; and in a somewhat different vein, but of conceded grandeur, and one that has won fame for Utah's composers is John J. McClellan's "Ode to Irrigation," sung at the Irrigation Congress at Seattle, and repeated a few days later at Portland. Words of the Ode were by Mrs. Gilbert McClurg. John J. McClellan is also the composer of the tender music to which Latter-day Saints sing the immortal hymn by Isaac Watts, "Sweet is the Work My God My King." In this list of anthems should be included Arthur Shepherd's "The Lord Hath Brought Again Zion." The words of this anthem are from Section lxxxiv of the *Doctrine and Covenants*, and are the unaltered words from that revelation. This anthem is worthily accorded a place among Latter-day Saint musical classics.¹

ADOPTIONS AND ADAPTATIONS

In addition to the many hymns and spiritual songs used by the Latter-day Saints—their official choir book publishes 419—in addition to those of original composition there are many that are taken from the hymns and music of other churches. Of these Wesley's collection perhaps is most frequently drawn upon, and supplies seventeen hymns in the collection published by the church referred to above. Also

1. See *ante* chapter xxiv this *History*.

Rippon's collection is lightly used, as was Plymouth's collection in the earlier days.

ISAAC WATTS

To these collections in an earlier period, individual writers not of the Latter-day Saint faith, have also been very liberally drawn upon, especially is this true of the highly spiritual-minded Isaac Watts, contemporary of the Wesleys, John and Charles, founders of Methodism—1703-1791; he contributes, by adoption, into the Latter-day Saint collection, twenty-four hymns, and those adopted reflect amazingly the spirit, doctrine and thought of the New Dispensation.

Montgomery contributed two hymns, of which one is the martyr song of Carthage prison—

“A poor wayfaring man of grief,” etc.
and the other the universal prayer hymn—

“Prayer is the soul's sincere desire,” etc.

There are other individual contributors by adoption, among them, Sarah F. Adams—

“Nearer my God, to thee.”

Baring-Gould—

“Onward Christian Soldiers.”

P. P. Bliss—

“Let the lower lights be burning.”

William Cowper—

“God moves in a mysterious way.”

Miss Fletcher—

“Think Gently of the Erring One.”

Felecia Hemans—

“Glorious Things of Thee Are Spoken.”

John Howard Payne—

“Home Sweet Home.”

Also there are some others of this class. Nor is this selected adoption of hymns from other than original Latter-day Saint composers inconsistent with the spirit of the New Dispensation church; for as it recognizes among revolu-

tionists and religious reformers and leaders of the 16th and 17th centuries, and the fathers of the American republic as the vanguard of the great on-coming and preparation for the New Dispensation, so also the church recognizes in the spiritual awakening through sacred songs and hymns, the spirit of that on-coming New Dispensation which when it comes, may consistently appropriate that which it recognizes as of its own nature. There are earlier lights in the morning than the outburst of the rising sun. There is the twilight zone of the morning in which is revealed much of landscape beauty and singing birds; and in the twilight zone of the coming New Dispensation many gifted with song caught the spirit of that dispensation. Hence the selective adoption of hymns and music of other composers than Latter-day Saints, *san reproach*.

MUSIC COMPOSERS

As to musical composition that makes up an important part of the Latter-day Saint hymnology, necessarily much of other church music already existing had to be used, as there were no composers in the early years of the new church. Gradually, however, as the membership multiplied, and especially as the British converts came into the church, music composers increased and soon began to supply original music for Latter-day Saint hymns, until now a somewhat definite school of sacred music is being formed suitable to the devotional emotion, doctrinal conception and adventurous experiences of the New Dispensation. I name a few of these composers to indicate the general character of the music, but cannot make anything like a complete list of those who have ventured into this field; and especially we do not enter the field of Sunday School song composition.

JOHN TULLIDGE

Among these earlier composers was John Tullidge, brother to Edward Tullidge, the journalist and historian. He gave the church music to—

"An Angel From On High," "Come All Ye Sons of God," and the music to Parley P. Pratt's prophetic hymn on New York—"Adieu to the City Where Long I Have Wandered;" and "Think Not When You Gather to Zion."

Andrew C. Smythe gave to the church "Come Thou Glorious Day of Promise," and "Zion Stands With Hills Surrounded."

In the same period came Charles J. Thomas, for years musical conductor in the Salt Lake Theater. He gave the church "Sons of Michael, He Approaches."

GEORGE C. CARELESS

Then came George C. Careless, a member of the church since 1850, coming to Utah in 1864, and still living (1930). He was a student of music in his youth at the Royal Academy of Music at London and became somewhat noted in musical circles before coming to Utah. He has composed the music for sixty-two of the hymns of our collection, among them—"Arise My Soul Arise," "Author of Faith, Eternal Word;" also "Softly Beams the Sacred Dawning;" and the courage-inspiring hymn, "Though Deep'ning Trials Throng Your Way." The character of his music may be written down as soul-moving; for its soft persuasiveness, gentleness, and high spiritual value.

EBENEZER BEESLEY

Of the same period is Ebenezer Beesley, born in Oxfordshire, England, 1840, a member of the church since 1849, and ten years later arrived in Utah. He was leader of the Tabernacle Choir from 1880 to 1889. He contributes sixteen compositions for our church collection of hymns named herein, among them—"Great Is the Lord, 'Tis Good to Praise" and "High On the Mountain Top a Banner is Unfurled."

JOSEPH J. DAYNES

Another prolific Latter-day Saint composer of sacred music is Joseph J. Daynes, for over thirty years organist at

the great tabernacle. He contributes twenty-six compositions to the Latter-day Saint collection, among which is included—"Come Listen to a Prophet's Voice" and "Great God Attend While Zion Sings." And apart from his large contribution of music to the Latter-day Saint hymn collection, is his great anthem—"The Nations Bow to Satan's Thrawl," the words of which were written by John Nicholson.

EVAN STEPHENS

Evan Stephens is the most prolific writer of sacred music yet known to the church; he is both hymn writer and composer, and anthem producer par excellent. He has contributed to the Latter-day Saint official collection of sacred hymns, ninety-three. These beside patriotic songs celebrating Utah, his mountain home. In his contribution to the hymnology of the church he runs the entire gammut from light and joyous compositions to deep and solemn religious majesty—

"Ho, ho, for the Temple's Completed,"

"Behold the Great Redeemer Died,"

"Ye Simple Souls Who Stray."

Needless to say in both volume and quality he ranks high as producer in Latter-day Saint hymnology.

Among the later and younger producers of Latter-day Saint sacred music should be mentioned Thomas C. Griggs, Edwin F. Parry, Henry A. Tuckett, H. H. Petersen, A. C. Smyth, Henry E. Giles, John S. Lewis, Wm. C. Clive, Tracy Y. Cannon, George H. Durham, Lorenzo D. Edwards, H. W. Dougal, Edward P. Kimball, Willy Reske.

Of course, as in the case of hymn writers, so in the case of composers, there has been both adoption and adaptation of hymnal and anthem composition in the hymnology used by the Latter-day Saints, and with the same consistent justification of it as in the case of hymn writers previously mentioned.

DAILY TABERNACLE ORGAN RECITALS

Among other Latter-day Saint contributions to music

should not be overlooked the services of the somewhat widely known Tabernacle Choir, and the Organ Recitals supplied to the people of the city and laterally to the nation by grace of radio invention.

For many years occasional organ recitals were given on the great tabernacle organ, and these were greatly increased in frequency after John J. McClellan became organist in 1900; and a little later the general church authorities established daily recitals throughout the tourist season for Salt Lake City, and so famous became the recitals, and so continuous the stream of tourists through Salt Lake City that for a number of years the recitals have been given daily throughout the year, and are now a unique daily feature of the city's life, nationally known and appreciated.

The character of these recitals may be known from a typical program or two, consisting of the classical numbers in each recital mingled with the arranged old melodies and special typical Latter-day Saint hymns which gives delightful variety and balance to each program.

SATURDAY, NOVEMBER 2, 1929

Tracy Y. Cannon at the Organ

National Anthem

- | | | |
|---|--|-------------------|
| 1 | Toccata and Fugue in D Minor..... | J. S. Bach |
| 2 | a Moderato in G..... | Felix Mendelssohn |
| | b Litany..... | Franz Schubert |
| 3 | a Favorite "Mormon" Hymn, "O Say, What Is Truth?"..... | Arr. by Organist |
| | b An Old Melody..... | Arr. by Organist |
| 4 | Grand Choeur..... | Enrico Bossi |

WEDNESDAY, DECEMBER 4, 1929

Frank W. Asper at the Organ

National Anthem

- | | | |
|---|--|------------------|
| 1 | Chorale in B Minor..... | Cesar Franck |
| 2 | a Adagio e Dolce from the Third Sonata..... | J. S. Bach |
| | b Meditation from "Thais"..... | Jules Massenet |
| 3 | a Favorite "Mormon" Hymn, "Come, Come, Ye Saints"..... | Arr. by Organist |
| | b An Old Melody..... | Arr. by Organist |
| 4 | The Lost Chord..... | Arthur Sullivan |

The organists who give the recitals, alternating therein, are: Edward P. Kimball, Tracy Y. Cannon, Alexander Schreiner, Frank W. Asper.

Occasionally special recitals are given to meet time requirements of parties, to very notable visitors to the city. Such an occasion as the latter occurred on the visit of the universally esteemed King Albert and his gracious queen, Elizabeth, of Belgium. At this recital, October 10th, 1919, John J. McClellan, tabernacle organist since 1900, nationally and even internationally known, was at the console, and who with Queen Elizabeth, herself a highly trained musician, arranged the special impromptu program. I give the account of the event as published in the *Salt Lake Tribune*:

KING ALBERT AND QUEEN ELIZABETH IN SALT LAKE CITY

"John J. McClellan (tabernacle organist) gave a short concert selected by Queen Elizabeth. The king and queen were so much interested in the music of the great organ that they requested permission to go to the back of the hall to get the effect of the music from that place. This wish was granted, and for a few moments the royal party stood at the rear of the hall on the balcony, and there listened intensely while Mr. McClellan played a number of old-time melodies.

Formal Program

Belgian National Anthem

- 1 Toccata in E Major (from the 6th Symphony) C. M. Widor
- 2 Berceuse Heroique Claude DeBussy
(Pour rendre hommage a S. M. le Roi Albert I, de Belgique
et a ses Soldats.) (Arranged for Grand Organ by Mr. J. J.
McClellan.)
- 3 Communion in G Major Eduard Batiste
- 4 An Old Melody, arranged by organist.....
- 5 Grand Selection from "Cavaleria Rusticana" Pietro Mascagni
- 6 The Star Spangled Banner"²

Another advance has recently come to this sort of Latter-day Saint contribution to musical enjoyment to the world. With recent radio development has come the possibility of the national "hook-up" by which radio connection is made throughout the United States and Canada, from the Atlantic

2. *Salt Lake Tribune*, Oct. 10th, 1919.

seaboard to the Pacific coast, and to, and beyond, the north and south limits of the United States. In the summer of 1929 the church authorities enlarged this service of the church by authorizing the installing of the national "hook-up" for the Tabernacle Choir, each Monday afternoon exactly at four o'clock. What this means to the church, and to the highly spiritual uplift of our country may be gathered from the report of Salt Lake City radio authorities of this service rendered on Monday afternoon of April 7th, 1930, while the first Centennial Conference was in progress, and the Monday afternoon's session was shortened to make the necessary connections for the broadcast.

President Grant in the afternoon when dismissing the general conference meeting that preparation might be made for broadcasting the program from the tabernacle explained that it was likely that more than seven millions would listen in to the program to be rendered.

The first Prophet of the church, Joseph Smith, early appreciated the force of music to be developed as a church force, and under the inspiration of the Lord to him, he appointed his wife, Emma Smith, to make a selection of sacred hymns, "which," says the Lord, "is pleasing unto me, to be had in my church. For my soul delighteth in the song of the heart; yea the song of the righteous is a prayer unto me, and it shall be answered with a blessing upon their heads."³

A LATTER-DAY SAINT SCHOOL OF MUSIC

In view of this large interest in sacred music it is not surprising that out of it there has been established a Latter-day Saint School of Music, which may become a distinctive school in the divine art representative of the New Dispensation and reflecting its spirit. This took form first in the autumn of 1920 when the department of music of the L. D. S. University reorganized as the L. D. S. School of Music, with Guy C. Wilson as president, and became a separate institution, and

3. *Doctrine and Covenants*, sec. xxv:12.

began its activities with an enlarged enrollment and broader basis. The school was first located in the historic Gardo House. Later this school of music changed its name to the McCune School of Music, and moved its quarters to what had been the palatial residence of Mr. Alfred W. McCune and family at 200 North Main street. Mr. McCune had been a wealthy mining man in Utah and other western states, his large mining interests had extended as far as Peru, South America. The residence referred to above, of a value of \$50,000, he had given to the church, and the church bequeathed it to what had been (and what is now, in fact) the Latter-day Saint School of Music; but to honor the McCune name, whose former residence the school now occupies, is called the "McCune School of Music and Art." Guy C. Wilson, first president as above noted, was succeeded by Sylvester Q. Cannon, presiding bishop of the whole church, 1927, and is now (1930) its president; and there is a full staff of officers and professors.

The school was originally organized by direction of President Heber J. Grant and has been sponsored by the Church of the Latter-day Saints since that time.

CHAPTER CLXXI

EFFECT OF THE JUDICIAL CRUSADE ON CHURCH COLONIZATIONS

“AND at that time there was a great persecution against the church. * * * And they were all scattered abroad throughout the regions; * * * therefore they that were scattered abroad went everywhere preaching the word.”¹

Thus the very persecutions of the saints in primitive Christian times contributed to the spread of their faith. It has proved to be so in the New Dispensation.

The judicial crusade in Utah, extending through the Taylor, Woodruff, and Joseph F. Smith administrations, resulting in so many leading men being driven into exile, unexpectedly benefited the church in two ways: first, many of the exiles went into the foreign missions of the church and greatly increased their efficiency, because they were men of matured minds, large experience, and of earnest purpose; second, it contributed to the territorial expansion of the church, since it compelled men involved in this order of family life to seek for homes in other countries than the United States, where parts of their families could be located without infringement of law; and this was done, chiefly in Mexico and Canada.

THE LAW ENFORCEMENT IN ARIZONA

The movement into Mexico first began from the Arizona settlements, where the enforcement of the law against polygamy and polygamous living at first was not less rigid in the cases that came before the courts than in Utah; and a number of those convicted were sent to the “house of correction” at Detroit, Michigan. Indeed at one time the enforcement of the laws in Arizona against the marriage system of the saints

1. Acts viii:1-4.

threatened to be even more severe than in Utah. Judge Howard, at Prescott, sentenced three of the brethren to three years and six months imprisonment, and to pay a fine of \$500 each for the misdemeanor of unlawful cohabitation, which the court construed into "polygamy," and tried and convicted the three brethren accordingly. This on December 5th, 1884.² After nearly two years of unjust imprisonment, in consideration of the fact that they had been wrongfully imprisoned, the three brethren were pardoned by President Cleveland, Oct. 13, 1886.

Detroit, to the brethren in Arizona was the "American Siberia," and banishment to it increased the severity of the punishment very greatly, both in the minds of those who were sent there, and in the community mind. "I was hardly prepared today to suppose that we needed an 'American Siberia'," said President John Taylor, in his last public address, and just after his return to Salt Lake City from Arizona; "but this is the fact. We have here in America today an 'American Siberia' in Detroit, to which place, upwards of two thousand miles from their homes—men are banished for a term of years."³

THE FIRST EXILE COLONY PLANTING IN MEXICO

The first company to leave Arizona for Mexico was formed at Snowflake, under the leadership of Edward A. Noble. This in February, 1885. The company numbered about seventy souls, and went *via* Luna valley, New Mexico, and by the seventh of March, reached the vicinity of Ascension, on the Casas Grandes river, state of Chihuahua, where they formed a temporary encampment. Their presence here created some excitement among the native Mexicans, and the governor of Chihuahua, on the 9th of April, ordered them to leave the state within fifteen days. Some of the leading elders in the company and Elder George Teasdale, of the

2. *Deseret News*, weekly, Dec. 10th, 1884.

3. *Deseret News*, weekly, Feb. 25th, 1885.

council of the twelve, who had come to the encampment at Ascension, hastened to Chihuahua, the capital of the state, and presented the case of the exiles to the governor, who consented to refer the matter to the federal authorities at the City of Mexico. Here the following month Elder Brigham Young, son of the late President Brigham Young, and Elder Moses Thatcher, both of the council of the twelve waited upon and had several interviews with President Porfirio Díaz and members of his cabinet, Mariscal, minister of foreign affairs, and Carlos Pacheco, minister of the interior and of colonization. The result of the interviews was that the order of the governor of Chihuahua was revoked; and sometime afterwards when under anti-“Mormon” pressure he issued another order for the Latter-day Saint exiles to leave the state, he was removed from office.⁴

OTHER MEXICAN COLONIZATION PROJECTS

Recognizing the necessity for some place of refuge for brethren likely to be hard pressed in the Latter-day Saint settlements in Arizona, and Utah, the general church authorities at Salt Lake City early in January, 1885, had sent an exploring and purchasing committee to northern Mexico to look for desirable locations. The eastern slope of the Sierra Madre Mountains, in northern Chihuahua, were explored, and tracts of land selected and purchased on the Piedras Verdes river, southwesterly from Casas Grandes, and here the Arizona exiles and others settled, naming their settlement Juarez, after the Mexican hero general, and late president of the republic.

The “Mormon” settlers held a public celebration on the occasion of naming their city, raised a flagpole and saluted the Mexican flag. This on the 21st of March, 1886. Later it was found that the town site selected was outside of the purchased area, which necessitated the removal of the settle-

4. *Latter-day Saints Biographical Encyclopedia*, art. Moses Thatcher, vol. i, p. 136.

ment some two miles westward from the first location. This became the prosperous and beautiful Colonia Juarez, the home of many Latter-day Saints. Other settlements were formed in this region of northern Chihuahua. A town site was surveyed on lands purchased north of La Ascension, and a ward organized, of which Wm. D. Johnson was chosen bishop. The survey was made in August, and the ward organized on the 9th of November following.⁵ The settlement was named Colonia Diaz, in honor of the president of the republic. A settlement was planted in Corrales Basin, called Colonia Pacheco, in honor of the Mexican minister of the interior and colonization, Carlos Pacheco. In February, 1891, Pacheco was made an ecclesiastical ward with Jesse N. Smith, Jun., as bishop. The same year, July 18th, the saints who had settled near Casas Grandes in a most noble plateau valley, were organized into a ward under the name of Dublan, with Winslow Farr as bishop. These several colonies and a number of settlements in the state of Sonora—Oaxaca, Morelos, and San Jose being the principal ones—were platted very much in the same manner as the Latter-day Saint settlements in Utah. In addition to carrying on diversified farming, fruit culture and stock raising in these Mexican colonies, saw-mills were established in the timber belts of the Sierra Madre Mountains, and an era of material prosperity attended upon the people. At a special conference held at Colonia Juarez on the 9th of December, 1895, the several Latter-day Saint settlements were organized into a stake of Zion, with Anthony W. Ivins as president, and Henry Eyring and Helaman Pratt as counselors.⁶

All the helps in government were established that attend upon and everywhere follow the church organization—Women's Relief Societies, Sunday Schools, Young People's Mutual Improvement Associations, and Primary organizations

5. See Jenson's *Church Chronology* for the months of August and November, 1886.

6. Jenson's *Chronology* for Dec., 1895.

for children; and, what was most important of all in this line, the Juarez Stake Academy was founded, where a four years' course of high school and some college work was given; an example of educational advancement much needed in the republic of Mexico, as were also the examples in advanced methods of fruit growing, farming, gardening, colonizing, and home building generally. But all these enterprises and examples so advantageous to northern Mexico were seriously halted by the anarchy that prevailed in Mexico from 1911 until recently—1928-1930.

SUFFERINGS OF THE LATTER-DAY SAINT COLONISTS FROM THE REVOLUTION

Of all foreign colonists who suffered in loss of property, lives, and peace from the reign of anarchy through those trying years in Mexico, the Latter-day Saint colonists suffered most. First from revolution following the forced abdication of President Porfirio Diaz in 1911, by the movements of troops through their settlements, first upon the part of one side and then of the other, and who preyed upon the colonists well-nigh equally for supplies for their armies; and second, from the instability of the several governments successively following each other since the revolution of 1912, and the frequent though minor uprisings in northern Mexico that have attended upon these weak and uncertain administrations of government. Since the return of the Latter-day Saint colonists to their homes, of course, the suffering of the colonists in this second period has been much less than from the revolution of 1911-1912.

THE EXODUS

It was during this first period that the Latter-day Saints were forced from their settlements in the states of Chihuahua and Sonora and compelled to take refuge in the United States border cities of Douglas, Hachita and El Paso—mostly in the last named city, where some twelve hundred of the refugees

were gathered in the latter part of September, 1912; and ultimately other refugees found asylum in the other cities named to swell the number from fifteen to eighteen hundred souls, and some have held the number of refugees from Mexico to be two thousand. The loss of property was estimated to be at least one million dollars. From nine to twelve men, Latter-day Saint American citizens, were killed outright by the revolutionists. At Colonia Diaz, situated about fifty miles north from Casas Grandes, and near the Mexican village La Ascension, the Latter-day Saint colonists were driven away, the town looted and later most of the homes of the people, stores and public buildings were burned down by direction of the revolutionary chieftain, Rojas. Several of the colonists during the periods of raids were taken captive and held for ransom; for two of them, Arthur McCormic and J. T. Cameron, the ransom money demanded was \$35,000; for the first, \$5,000 was demanded; and for the second \$30,000. In another case, that of A. P. Spillsbury, \$3,000 was demanded. As to whether these particular ransoms were paid, or any part of them, our records are silent. Subsequent ransoms, of smaller amounts, however, were paid through the succeeding several years of unsettled conditions. The expulsion of the colonists from Morelos and Oaxaca, in the state of Sonora was final; their lands were seized by the revolutionist chieftain Rojas and published as held for Mexicans. Very few of the colonists from these settlements returned to their lands and homes. In the evacuation of the settlements from the state of Chihuahua, in 1912, from the settlements of Juarez, Dublan and southward, the women and children—amounting to four hundred—were sent out of the country by train to the American border city of El Paso; the men were left to follow as best they could; and as the distance was considerable—one hundred and fifty miles—and through a region infested by revolutionists, their safety was precarious, and their long and slow journey through the mountains the occasion of much anxiety to their families.

NEUTRALITY OF AMERICAN L. D. S. COLONISTS

The Latter-day Saint colonists, nearly all American citizens, sought to maintain a position of neutrality between the contending federal and revolutionary forces of Mexico, refusing not only to commit themselves to either side by taking up arms in the struggle, but refusing also to supply either with food, cattle, horses or war material, relying upon the fact of their being American citizens to justify their neutral attitude. This resulted, however, in their expulsion from the country by the revolutionists, as above detailed, and the confiscation of cattle, and horses and food supplies by both federalists and revolutionists as now one and now the other swept through, or possessed their settlements.

NOT A MATTER OF RELIGIOUS PERSECUTION

It should be noted that in all this there was no question of religion involved. No complaint arose against the religion of the Latter-day Saints from either side; nor was the expulsion of the colonists occasioned by their religious faith or any feature of it; the issues were purely political, accompanied by the fact that the colonists were foreigners—and the hated American foreigners at that. The Mexican federalists, sustaining the established government, could not consistently demand the expulsion of these colonists from the country, for they were there with the consent of that government, and agreeably with its laws and concessions to colonists; and as a matter of fact the federalists made no effort to expel them, and took no part in their expulsion, though they did confiscate food supplies, wagons, and cattle, and horses, to supply their armies. On the other hand it can well be understood that the revolutionists would desire to force the colonists into action against the federal government; and also, since the colonists were Americans, and as the revolutionary cause might be helped by the intervention of the United States, aggression upon these American colonists, or their expulsion from the country, might force the

desired intervention. This it was the policy of the United States, both in the closing months of the Republican Taft administration, as well as in the Wilson Democratic administration, to strenuously avoid. True, when in northern Mexico—March, 1916—bandits which the Mexican government could neither suppress nor control crossed the American border and attacked the town of Columbus, in New Mexico, General Pershing was sent into Mexico at the head of a "punitive expedition," and penetrated Mexican territory with a military force for four hundred miles in pursuit of the bandits—who easily kept out of his way. But this "punitive expedition" did not constitute an "intervention" in Mexican affairs as that term is understood in the interpretations of international law. Neither was the earlier action of the United States government (April, 1914), when in protest of the arrest of American sailors who had landed at Tampico to make purchases, demanded an apology, and sailors and United States marines were landed and seized Vera Cruz, in which action the American force lost eighteen men and a number of Mexicans were killed.⁷

But notwithstanding these incidents, throughout the troubled years of Mexican revolutions and counter revolutions; and notwithstanding Mexican outrages upon American industries, and assaults upon American citizens, including the outrages upon the American Latter-day Saint colonists, the United States persevered in its policy of non-intervention.

On the part of the Latter-day Saint Mexican colonists, the fact that they were American citizens, justified them in their neutral attitude, though it resulted in their suffering and their expulsion as herein detailed. Indeed they could do not other than that which they did.

7. This was the case in which the South American republics Argentine, Brazil, and Chile—popularly remembered as the A. B. C. affair—offered friendly mediation, with the result that while they decided that the United States must withdraw its forces from Mexican territory they also decided that the usurping president of the republic, Huerta—whom President Wilson had steadfastly refused to recognize as president of Mexico—must abdicate his presidency. The decisions were complied with by each government, and Huerta ceased to be longer a factor in Mexican international affairs.

ACTION OF THE UNITED STATES GOVERNMENT

Strong appeals were made to the government of the United States to give protection to these American citizens in Mexico, and reestablish them in the possession of their homes and lands legally acquired. Their appeals met with much sympathy from the government at Washington, though intervention in the internal affairs of Mexico, was strenuously avoided by the United States. The government, however, assisted all refugees fleeing from Mexican anarchy and misrule, including the Latter-day Saints. Army tents were rushed to El Paso and other points to give shelter to the homeless. One hundred thousand dollars was appropriated by congress to provide all refugees from Mexico with food and shelter during their enforced absence from their Mexican homes; and of this appropriation the Latter-day Saint refugees received a fair proportion. Also the state department of the government was watchful of their rights and interests through its foreign diplomatic agencies and kept their case with that of all other American cases, before the responsible government of Mexico. Of the government's impartial treatment of Latter-day Saint refugees the presidency of the church in their Christmas greeting to the church, 1912, were able to say:

THE FIRST PRESIDENCY ON THE MEXICAN SITUATION

"In the Mexican uprising, the 'Mormon' refugees have been accorded their full share of the generous appropriation made by congress for the shelter and sustenance of Americans driven from their possessions, and for their transportation to points where they could be secured and be with relatives and friends and find means of self-support. The wise policy of the administration in dealing with the questions arising in maintaining proper relations with the Mexican Republic, under the revolutionary outbreak, endangering the lives and property of Americans residing there, is worthy of all praise and is duly appreciated by our friends who have escaped from threatened horrors and dangers. While deprived for a time of their homes and other fruits of their toil, they have yet cause for gratitude to God and their country in their salvation from greater possible evils. The ready responses of their co-religionists to calls for help and the facility with which the great

majority of the colonists have found temporary or permanent abiding places, speak forcibly in commendation of the good counsel and loving care of the leading men during the time of danger, and the splendid system of our church organization."⁸

THE POLICY OF NON-INTERVENTION APPROVED

It will be observed that the address not only witnesses the fairness of the government's treatment of the Latter-day Saint Mexican refugees, but speaks approvingly of its policy of "maintaining proper relations with the Mexican Republic"—non-intervention is meant—an approval which President Smith publicly repeated on several occasions. Especially is this true in his address at the October conference, 1912, when he said:

"I feel so thankful in my heart that wisdom, a higher wisdom, has dictated the course of the executive authorities of our nation, by which they have kept their hands clean from the shedding of blood; by which they have kept our people, our friends, our brothers, and perhaps our fathers from being drawn into a protracted war with Mexico, which might last for years, and cost untold blood and treasure, even if the whole power of the United States should be brought to bear to quell the disturbances there and to bring peace to the land."⁹

CHURCH AID FOR THE REFUGEES

The address also alludes to the aid given to the refugees by the Latter-day Saint Church. This indeed was worthy of commendation, for it was liberal in aiding to supply their material necessities, and also there was sent to them from the church headquarters men of experience and knowledge in Mexican affairs to direct their action. Among these was Elder Anthony W. Ivins, of the council of the twelve apostles. For a long time he had been a missionary in the Republic of Mexico, and later, and for a number of years, he was the president of the Juarez stake of Zion. He was experienced therefore in Mexican affairs, a wise counselor, and spoke the Spanish language fluently. Early in the troubles he visited Juarez and other points in the zone occupied by the Latter-

8. Christmas *Deseret News* issue of Dec. 21st, 1912.

9. Conference Minutes of October 4th, 1912, p. 4.

day Saint colonists and was a strength and comfort among the refugees at El Paso and other American border points; and he was especially fitted to communicate the state of affairs to officials at Washington and elsewhere. O. P. Miller, first counselor in the presiding bishopric of the church also visited the refugees along the American border, and aided in the distribution of needed supplies, and in giving counsel to the refugees. The man, however, who really stood at the head and negotiated and directed, in larger part, the exodus from the state of Chihuahua, Mexico, was the president of the Juarez stake, Junius Romney, ably assisted in the management of the affairs of the colonies on the eastern line of their settlements by Bishop O. P. Brown and Elder Guy C. Wilson, president of the Juarez Stake Academy. The movements of the colonists on the west line of settlements, in the state of Sonora, were largely directed by Bishop F. D. Haymore of Oaxaca, and Bishop Charles W. Lillywhite, of Morelos.

THE PROBLEM OF THE REFUGEES' RETURN

Naturally the desire of the refugees to return to their homes was very great. The efforts of a lifetime had been put into acquiring their homes and farms and stock, mills and merchandizing; and first prospects for returning were eagerly watched. But the civil strife in Mexico was long drawn out. One revolution followed another, as elected presidents were overthrown one after another, and dependable government seemed impossible. So discouraging seemed the situation that the presidency of the church officially declared the Juarez stake of Zion disorganized, and released all the people from their obligations to it, and freed them from all responsibility to maintain any organization in Mexico. This in order to leave the people free to choose for themselves what their action would be with reference to returning.

DISORGANIZATION OF THE JUAREZ STAKE OF ZION

The notice of discontinuance of the stake organization and releasing the saints from further responsibility in the

matter is given in a signed proclamation by the first presidency of the church—Joseph F. Smith, Anthon H. Lund, and Charles W. Penrose—published in the *Deseret News*, October 12, 1912.

“* * * The Juarez stake and ward officers and members, one and all may consider themselves honorably released from any further sense of duty to return or remain in Mexico.”

They declared themselves unwilling to assume the responsibility of giving counsel or direction to the people as to the disposition they shall make of themselves. “But to all who may desire to return, we cheerfully say, go with our sanction and blessing and our prayers, for your preservation and success.”

Even under these circumstances, however, some began to return, so dear to them were their holdings and the ties of their Mexican homes. But the return was slowly effected, and of those who had been compelled to flee from the country perhaps not more than one-half ever returned. In evidence of this slow but partial return, I cite the report made of conditions in Mexico by the first presidency to the church of such conditions in December of 1914—more than two years after the main exodus:

“Our people there (Mexico) were advised to withdraw and either make new homes at convenient localities in Utah or obtain lands or suitable employment near the border so that when conditions shall be changed they may obtain that redress which is their due and if possible rebuild and restore the settlements thus vacated. Some of them have returned and are doing their best to retain their homes and properties, but are in continual danger of incursions from brigands and other disturbers of the peace. At present there appears to be little prospect of permanent stay in that unhappy land.”¹⁰

THE SLOW RETURN OF THE REFUGEES

Those who returned to the settlements in the state of Chihuahua found in many cases their homes had been and were then occupied by native Mexicans, but these were turned

10. *Deseret News*, daily, of Dec. 19th, 1914.

over to the owners willingly. But few of the refugees ever returned to the west line of Latter-day Saint settlements in the state of Sonora. Mexican squatters possessed the land and to avoid complications the representatives of the colonists negotiated the sale to the government of these lands, "and received a fair price for them," writes Elder Rey L. Pratt, president of the Mexican Mission.¹¹ And this was true in relation to all the colonial lands sold back to the Mexican government.

Meantime the saints who returned to their settlements have not since been overtaken by any disaster from the political unrest and uncertainty of government that still obtains there. They have rebuilt many of their waste places, resumed their business of merchandizing and milling and farming and stock and fruit raising. Their American schools are again functioning, and the Juarez Academy has resumed without interruption its mission of first steps in higher education for both the natives of the country and the colonists.

THE MEXICAN MISSION MOVEMENTS

In these unsettled years of war and anarchy the Mexican Mission established and maintained by the church as already set forth in Chapter cl of this *History* as well as the colonies which made up the Juarez stake of Zion, greatly suffered by being hindered in the development of its work.

It has already been stated how on account of the revolution of 1911-12, and the bitterness which arose against Americans, made it necessary to withdraw the elders from the United States laboring in Mexico. That formal and official withdrawal was complete by the year 1913; but the mission was not disorganized by the withdrawal of the United States missionaries. On the contrary, under instructions from President Joseph F. Smith and the twelve apostles the work was continued by Elder Rey L. Pratt by correspondence with the native presidents of the Mexican branches

11. Letter to the author, Dec. 9th, 1929.

of which there were more than twenty, officered by native brethren holding the priesthood. And to the credit of those local Mexican officers and members be it said, they manifested great faithfulness and the work grew during all the years of the absence of the foreign missionary elders. The mission in the city of Mexico and vicinity was visited by the president, Elder Rey L. Pratt, in October and November of 1916; but it was not feasible at that time to resume work with missionaries from the United States. Nearly all the branches, however, were visited and set in order, and readjustments made that the work under native management might be made more efficient, and faithfulness increased. In common with all the people of the country the native Mexican saints had suffered greatly because of the state of war continuing. Many of them had lost their lives; and many of the brethren had been drafted into the armies contending against each other. An effort was made early in the following year (February) to remove some of the saints from Mexico, but conflicting emigration regulations between the United States and Mexico made this impossible.

REGULAR MISSION WORK RESUMED IN MEXICO

In March, 1921, President Rey L. Pratt again went into Mexico with eight elders from the United States, and regular missionary work was resumed in the City of Mexico and other sections of the country, and continued without interruption for a number of years. It is recorded in *The History of the Mexican Mission, Ms.*, at this point, that though in some districts of the mission the people had been without the missionary elders "from Zion," in some cases for nine years, and in the City of Mexico and vicinity for seven years, "it is not only a fact that they had lived spiritually during all this time, but had positively grown in faith and testimony of the gospel; and through the teaching of the native brethren many honest-hearted souls had been converted to the gospel

and became baptized members of the church, * * * the work being done by the local native Mexican priesthood."¹²

The work in Mexico continued after this to prosper under the direction of President Rey L. Pratt, and the regular missionaries from the United States until 1926. In September, 1925, President Pratt was called to assist Elder Melvin J. Ballard of the council of the twelve and Rulon S. Wells of the first council of the seventy to open a mission at Buenos Aires, Argentina, South America. He was not released from the presidency of the Mexican Mission, but Elder Kenneth Haymore was appointed to preside temporarily until Elder Pratt's return. The latter was absent on his mission to South America about eleven months.

EXPULSION OF FOREIGN MINISTERS FROM MEXICO

It was during this time that the Mexican government began the enforcement of the constitutional provision that had been adopted by the Mexican Republic in 1917, which in effect precluded foreign ministers from functioning in Mexico. This was revolutionary in character and doubtless aimed at the dominance of foreign priests sent into the country by the Roman Catholic church, but, of course, must operate equally upon all foreign ministers. Elders of the Church of the Latter-day Saints were deported as early as February, 1926, but some remained until August that year, when the departure of all the elders not of Mexican nativity was effected. The provision of the Mexican Constitution debarring foreign ministers from functioning in Mexico is:—

"Article I: To exercise within the territory of the Republic of Mexico the office of minister in any church, it is necessary to be a Mexican by birth."¹³

The other articles of this part of the Constitution, of which there are in all twenty-two, concern themselves with

12. See *History of the Mexican Mission*, pp. 101-105; and letter of President Rey L. Pratt to the author under date of Dec. 9th, 1929.

13. From a translation of the "Religious Laws" in the *Diario Oficial*, July 2nd, 1926, organ of the constitutional government of the United States of Mexico.

details of carrying into effect this article and providing for restrictions of priestly activities in education, politics and ownership and management of church property.

As in the case of the withdrawal of the elders from the United States from the Mexican Mission in 1913, so now the carrying on of the functions of the church had to be left to the local Mexican priesthood, and it so continues now, directed by correspondence by President Rey L. Pratt from the headquarters of that mission in the United States, located (1930) at the city of Los Angeles, California.

UNITED STATES BORDER ADDENDA TO THE MEXICAN MISSION

In 1915, Elder Pratt was requested by the presidency of the church to establish missionary work among the Mexican people in the American states bordering the northern Mexican line. Since then the groups of Mexican people in these border states, from Brownsville on the Gulf of Mexico to San Diego on the Pacific coast are made part of the Mexican Mission, with headquarters at Los Angeles, and presided over by Elder Rey L. Pratt, who resumed the presidency of the Mexican Mission on returning from his temporary absence in South America, and is now (1930) directing the work among the Mexican people throughout these border states and supervising the work in the Republic of Mexico by correspondence with the respective branches through their native presidents.

EXTENSION OF THE WORK INTO WESTERN CANADA

The movement to establish Latter-day Saint colonies in Canada began by President John Taylor appointing Charles O. Card, president of the Cache Valley stake of Zion, to explore British Columbia and the province of Alberta with a view to finding desirable places for settlement by the Latter-day Saints. This in September, 1886.¹⁴

He reported favorably of locations in southern Alberta

¹⁴. *Latter-day Saints Biographical Encyclopedia*, Jenson, art. Chas. O. Card, pp. 297-8.

province; and, in the following spring, in company with Thomas E. Ricks of Rexburg, Idaho, president of the Banrock, now (1930), the Fremont stake of Zion; Bishop Thomas Smith of Logan, Utah; and Elder Nills Monson, he located a place for settlement on Lee's Creek, a tributary of St. Mary's river, Alberta, Canada. A few days later settlers from Cache county, Utah, arrived and plowing and other work of founding the colony began in good earnest. By October of the year following the colony had increased to such numbers that at a conference of the settlers held on the 7th of that month, an ecclesiastical ward was organized by Francis M. Lyman and John W. Taylor, of the council of the twelve apostles. Anthony Woolf was made the bishop, and the settlement was named Cardston, in honor of its founder, Charles O. Card. Seven years later there were in existence three bishop's wards in Alberta province; Cardston, already described, Aetna, on St. Mary's river, and Mountain View, on Fish Creek, the last two having been organized 1893. The three wards were organized into a stake of Zion on the 9th of June, 1895, with Charles O. Card as president, and John A. Woolf and Sterling Williams as counselors. After this settlements multiplied quite rapidly throughout the southern part of the province of Alberta, until it was found necessary, in August, 1903, to divide the Alberta stake of Zion into two stakes; the group of settlements in the western division retaining the name of Alberta stake, and the group of settlements in the eastern division forming Taylor stake, named in honor of John W. Taylor, then a member of the apostles' quorum, who had been active in promoting the development of these Canadian colonies. Since then, *viz.*, 1910, another stake, known as the Lethbridge stake of Zion has been organized. This also in the province of Alberta. The colonies are prosperous and constitute a permanent territorial division of the church. In proof of which it is only necessary to state that on the 27th of July, 1913, the site for a temple was dedicated at Cardston by President Joseph F.

Smith and a company of high church dignitaries from Salt Lake City. It was the first temple site to be designated and dedicated by the church outside of the United States.

Although the Canadian settlements were founded by men involved in the plural marriage system of the Church of the Latter-day Saints, it was not the purpose of the church authorities to introduce polygamous living into the dominion of Canada, nor have they done so; but the existence of these colonies did make it possible for men involved in the plural marriage system of the church to locate a family in these settlements, and care for it with something like freedom which but for such a place of refuge, under the judicial crusade then carried on in Utah, Arizona, and Idaho, would have required them to neglect or abandon such parts of their families. The completest harmony and good feeling have always existed between the Latter-day Saints and both the provincial and the dominion governments of Canada.¹⁵

The remaining events to be treated in President Woodruff's administration are largely of a political character, and will be grouped in a chapter by themselves.

15. The Canadian parliament, however, on the 11th of April, 1890—the very day that the Struble bill was introduced into the American house of representatives, and referred to the house committee on territories, and having for its object the disfranchisement of the Latter-day Saints of Utah—amended the criminal law of the dominion, making polygamy punishable with five years' imprisonment instead of two as heretofore. The legislation was undoubtedly passed in anticipation that an influx of "Mormons" into the dominion might make it necessary to check polygamy in the "Mormon colonies should it make its appearance there." (See Jenson's *Church Chronology*, date of April 11th, 1890, p. 183).

CHAPTER CLXXII

THE FIRST CLEVELAND ADMINISTRATION AND ITS EFFECT ON AFFAIRS IN UTAH—PRESIDENT HARRISON'S ADMINISTRATION AND "THE MORMON QUESTION"

IT has already been said that with the advent of the national Democratic administration in 1884, marked changes in the federal administration of affairs in Utah had been hoped for, and how those hopes had met with disappointment and why.¹ But while the expected changes did not come for some time—and in some respects did not come at all—through the appointment of federal officers for the territory, the Democratic national victory of the year named stimulated movements in Utah that did ultimately lead to important results in the affairs of the commonwealth and the relations of the Church of the Latter-day Saints to the state.²

UTAH RATED AS A DEMOCRATIC TERRITORY

For some time John T. Caine delegate from Utah, elected by the People's party, had been a member of the Democratic congressional campaign committee; George Q. Cannon had quite generally been regarded as affiliating with that party, so that Utah was understood as being Democratic in its political tendencies.³ For a time it seemed that enthusiasm over the party's victory in the nation would unite "Mormon" and Gentile Democrats of Utah in celebration of it; but the times were not ripe for such a consummation. In the midst of the preliminary steps for bringing about the formal celebration to take place on the night of November 8th, the

1. See *ante* chapter clxiv.

2. Note has already been taken of the effort to align the people of Utah with the national political parties in 1872, in connection with the statehood movement of that year, and its failure. (See chapter cxliv).

3. Such a conclusion would be justified by the fact that on the one hand the Republican party had really inaugurated the anti-"Mormon" national legislation, and on the other, such objections as had been made against anti-"Mormon" legislation, as being destructive of human rights and therefore unconstitutional, had come from the Democratic side of both the national legislative houses.

parties discovered that they were still "Mormons" and "Gentiles," and the elements were not yet prepared to drop these distinctions and amalgamate as citizens in a united political party. However the spirit of the national victory had seized the people who felt that they were Democrats and the celebration went on, although somewhat informally. There were bonfires at several points in Salt Lake City; at the head of Main street, at sundown, cannons which had been silent since 1870, when the territorial militia was disbanded, fired a hundred salutes; speeches were delivered from the balcony of the old City Hall. A dispatch conveying congratulations to Grover Cleveland was sent from this meeting saying: "Ten thousand citizens of Salt Lake tonight are enthusiastically celebrating your election. Their joy is as sincere and honest as their jollification is demonstrative." It was signed by John T. Caine as chairman.⁴

On the 19th of the month the Gentile Democrats, posing as the real Democrats of the territory, held a more formal meeting at the Walker Opera House, in which a strong anti-"Mormon" sentiment developed, captain Ransford Smith, who in the election just then closed had been the badly defeated opponent of John T. Caine in the race for delegate to congress, remarking that it had been "left to the Democrats to wipe out the remaining 'twin relic'."⁵ It was doubtless the purpose of the Gentile Democrats to fall heir, if possible, to the federal appointments in Utah.

THE NATIVE "SAGEBRUSH DEMOCRACY"

Meantime there had grown up in Utah native sons of the territory, who had taken to educational pursuits and professional life, and while largely of "Mormon" parentage felt only in a limited way the religious enthusiasm of their fathers for the full faith of the New Dispensation. These were growing restive under the restraints and limitations enforced

4. Tullidge's *History of Salt Lake City*, pp. 855-6, where the telegram in full will be found.

5. Tullidge's *History of Salt Lake City*, p. 856.

upon the territory by reason of the local contentions of church and anti-church parties, and desired to be rid of the strife. A number of such native sons of Utah, between the election of 1882 and that of 1884—but more especially in the summer of 1884—undertook the founding of Democratic clubs, through which they sought to change conditions by insisting upon obedience to the anti-polygamy laws and the seeming necessary separation of church and state.⁶ On the other hand they were opposed to the anti-“Mormon” plan of working for the establishment of a Utah Legislative Commission. “Local self-government is a cardinal principle of democracy,” they said in the fifth paragraph of their declaration of principles, “and as such we endorse it.” They said this principle was in danger from both of the local political parties.

The thing in which the movement most gave offense to “Mormon” church members, at the time, was a suggested abandonment of their struggle for the right to practice a principle of their religion; and of their right to continue their struggle against what they regarded as an unconstitutional law, contained in the eighth and ninth declaration of the platform, *viz*:

“We firmly repudiate the idea that any citizen is under obligation to take his political counsel from those whose avowed purpose is a continued violation of law.

We shall struggle to make predominant the sentiment that every citizen should and must obey every law until, by legitimate agitation if obnoxious or unjust, its abrogation or repeal can be secured.”

It cannot be questioned but that this Democratic club movement took high ground. It reaffirmed and endorsed the national platform adopted at Chicago on the 8th of July, 1884. It held that “the affairs of the government can be safely entrusted to the intelligence of a free people.” About this declaration, and one other *viz.*, that “politically all men are created free and equal; the priest and the layman must stand upon the same plane, we reaffirm

6. See Tullidge's *History of Salt Lake City*, pp. 857-8.

that the affairs of the church and state ought to, and must be, forever separate and distinct, locally and nationally—" on these declarations the whole movement rested.

The coterie of young men who instituted this club movement for the relief of Utah from what was rapidly becoming intolerable conditions, was very respectable and very honorable, comprising men who afterwards became noted as contributing to the commonwealth's progress.

A daily newspaper was begun in support of the movement, the *Salt Lake Daily Democrat*, the first number of which was issued on 2nd of March, 1885. Both the club movement and its organ had but a precarious life, lasting only about two years; the *Democrat* went out of existence in July, 1887, and with its demise, interest was lost in this premature movement for Utah political redemption.

THE POLITICAL CAMPAIGN OF 1888—"SAGEBRUSH" CANDIDATES

What the Democratic club movement of 1884-1887 failed in, the "Sagebrush Democracy," though in less formal manner, undertook to do in the political campaign of 1888. Early in October advantage was taken of the presence in Salt Lake City of many Democrats from all parts of Utah territory, who were either in attendance upon the semi-annual general conference of the Church of Latter-day Saints, or who had taken advantage of the low railroad rates always allowed on these annual and semi-annual occasions, to visit the city. About one hundred Democrats in all gathered at the old City Hall on the corner of First South and State street, and here effected their organization, and although the meeting was largely impromptu, it placed a candidate in the field for delegate to congress. This was S. R. Thurman, of Provo, then a young practicing attorney at law. They also nominated members for the council districts, comprising Salt Lake, Davis, and Tooele counties—R. C. Chambers, Jos. L. Rawlins, John A. Marshal, C. E. Mitchner; for members of the lower house from Salt Lake, Davis and Morgan counties—

Wm. G. Sharp, Jos. M. Benedict, Abram F. Doremus, A. L. Williams, H. D. Ripetto, Stephen Hales; for Salt Lake county, superintendent of public schools, Jos. T. Kingsbury; for selectman for Salt Lake county, Boliver Roberts. None of these candidates were elected.

The movement elicited much humor both from the Republicans of the territory and many of the older Democrats, who were persuaded that nothing could come of such an effort to align the people of Utah with the national parties under conditions then existing. Both the People's party and the Liberal party—"Mormon" and Gentile, frowned upon this new political bantling, which the *Salt Lake Tribune* contemptuously dubbed "Sagebrush Democracy." The promoters of the party, true to the American genius in such things, seized upon this derisive term and made it the party title, and the "sagebrush"—the "*artemisia*" of Fremont's books, and scientific classification—became the party's emblem.

For a time the *Salt Lake Herald* sustained the movement, but Mr. John T. Caine, candidate of the People's party was part owner of the *Herald*, and many of his friends were owners in it—they held doubtless the majority of the stock—and it could not be expected that they would tolerate support of any opposing candidate to Mr. Caine. It suddenly withdrew its support from the "Sagebrush" party, and supported the "People's party" candidate, John T. Caine.⁷ Mr. Thurman polled but 511 votes, and "Sagebrush Democracy" was as dead as was the Democratic club movement which preceded it.

STILL ANOTHER EFFORT FOR STATEHOOD—1887-8

It has already been noted that an effort was made during the first Cleveland administration, 1887, to obtain state-

7. Mr. Thurman's description of this change of front on the part of the *Herald* was most humorous. He said the *Herald* had for a long time talked Democracy; it pined for Democracy; and when it got Democracy from the "Sagebrush" party it said it was satisfied with the brand it had received, and which it proposed to sustain. Then all of a sudden, it stopped! Stopped short, like "Grandfather's clock," "*never* to go again." A little hesitancy of speech in the speaker, not quite a stutter, added a charm to the verbal description.

hood for Utah ; that a clause was inserted in the Constitution submitted to congress declaring against bigamy and polygamy, making each a misdemeanor; making the section operative without further legislation, and irrepealable and unamendable without the concurrence of the president of the United States and congress; the amount of fine and imprisonment was fixed, and the offenses were not barred under three years by statute of limitations.⁸ All this, however, being but the action of a constitutional convention, and not the action by the Church of the Latter-day Saints, did not appeal to the Democratic congress then sitting, as sufficient to meet the demands of public sentiment in the United States, and therefore it refused to act upon a measure for Utah statehood.⁹ This movement, however, was strongly supported by the first presidency and other leading elders of the church; and President Joseph F. Smith was sent to Washington to direct the efforts of the friends of Utah at the capitol.

The senate committee on territories, to whom the Utah Constitution and accompanying Memorials and Petitions of 1887 had been referred, reported adversely on the subject on the 26th of March, 1888, and was discharged from further consideration of the subject.

Notwithstanding this disappointment administered by a Democratic congress, a determined effort was continued by leading church authorities for the admission of Utah through the influence of the administration,¹⁰ in the closing months of 1888, and during the months of 1889 through which the Cleveland administration continued. It was proposed to the church authorities in this period that there should be an official abandonment of plural marriage, in connection with this effort for statehood, and the form of the renunciation was presented for consideration to the council of the apostles, but at that time, December, 1888, the prop-

8. See chapter clxii, this *History*.

9. *Woodruff's Journal, Ms.*, entry for August 12th and 13th, 1887; and Feb. 2nd, 1888.

10. *Ibid*, October 20th, 1888.

osition was unanimously rejected by the apostles—then the presiding council of the church.¹¹

It was in the closing months of President Cleveland's administration that provisions were made for the admission of four new states into the Union, *viz.*, North Dakota, South Dakota, Washington, and Montana.¹² Strenuous efforts also were being made for the admission of Idaho, Wyoming and Arizona. It was hoped that in this "omnibus" movement, Utah also could secure admission.

The congressional committee made its report to the house on the 6th of February, recommending the admission of Idaho, Wyoming, and Arizona, but not Utah.¹³

HARRISON ADMINISTRATION—ATTITUDE TOWARD UTAH

Naturally there was some anxiety as to what would be the attitude of the incoming Republican administration towards Utah and the Latter-day Saints, with Benjamin Harrison, president.

The Republican platform of 1888 had promised to do everything in its power "to facilitate the admission of the territories of New Mexico, Wyoming, Idaho and Arizona to the enjoyment of self-government as states;" but respecting Utah, the platform said:

"The political power of the Mormon church, in the territories, as exercised in the past, is a menace to free institutions and dangerous to be longer suffered; therefore, we pledge the Republican party to appropriate legislation asserting the sovereignty of the nation in all the territories where the same is questioned, and, in furtherance of that end, to place upon the statute books, legislation stringent enough to divorce the political from the ecclesiastical power, and thus stamp out the attendant wickedness of polygamy."¹⁴

11. See *Woodruff's Journal, Ms.*, entry for Dec. 20th, 1888.

12. "President Cleveland signed the bill providing for these additions to the family of states on the 22nd of February, 1889, . . . The conditions precedent to their admission, however, were not fulfilled until later, and President Harrison made proclamation of the final acts of admission during the first year of his administration." (*History of the United States*, Bryant-Gay-Brooks, vol. v, p. 578).

13. See *Congressional Record* of March 2nd, 1889, house proceedings.

14. See Republican Party Platform, *Salt Lake Tribune*, June 22nd, 1888.

Elected upon a platform pledged to such a policy it is no marvel if there was some discouragement experienced in Utah with reference to territorial and "Mormon" church affairs when news arrived in Utah of Harrison's election. Moreover, the appointments made by President Harrison indicated that he was in full harmony with the platform declarations of his party. There was no such delay in making the federal appointments for the territory as in the case of Cleveland's administration. About two months after his inauguration (*viz.*, May 6th, 1889), the president appointed Mr. Arthur L. Thomas, governor of Utah, succeeding Caleb W. West. Mr. Thomas had indicated for some time strong anti-"Mormon" tendencies both as former secretary of the territory and later as a member of the Utah Commission, from which position he was now advanced to the governorship. Thomas was succeeded on the commission board by Mr. Alvin W. Saunders of Nebraska, who received his appointment on the 14th of May. The day following Thomas' appointment as governor Elijah Sells was appointed secretary of the territory, succeeding Wm. C. Hall; and Ellsworth Daggett was made surveyor general.

REAPPOINTMENT OF CHARLES S. ZANE CHIEF JUSTICE

Judge Chas. S. Zane was reappointed chief justice of Utah, this on the 24th of May, and took the oath of office on the 3rd of June, succeeding Judge Elliott Sanford, dismissed. As Judge Zane's former term as chief justice did not expire until July, 1888, he was out of office in Utah less than one year. The harshness of Judge Zane in the administration of the congressional anti-polygamy laws has already been noted, and naturally his reappointment was regarded as ominous for Latter-day Saint offenders in that class of cases.

The controversy that arose over the removal of Chief Justice Sanford to make way for the reappointment of Judge Zane is of great interest. When informed by Harrison's

attorney-general, Mr. W. H. Miller, that in the opinion of the president the public service would be subserved by a change in the office of chief justice of Utah, and he would be pleased to receive his resignation, Judge Sanford asked if there were any charge of misconduct or malversation in office, or any complaints preferred against him. "In case of such charge," he wrote Attorney-General Miller, "I think you will agree with me that it will be unwise, unbecoming, and improper to resign the office of chief justice until they have been either proven or disproven and disposed of. * * * I may add that if a change is necessary *for political reasons only*, the president can have my resignation as soon as the business of the court and the proper disposition of matters now pending before me will permit."

Replying to this inquiry the attorney-general said:

"I beg to say that there are on file in this department some papers complaining of the manner in which your judicial duties are discharged.¹⁵ Independently of these particular complaints, however, the president has become satisfied that your administration of the office was not in harmony with the policy he deemed proper to be pursued with reference to Utah affairs, and for this reason he desired to make a change, and out of courtesy gave you an opportunity to resign. As you did not see fit to embrace this opportunity, the president has removed you and appointed your successor."

Answering this announcement of dismissal from office Justice Sanford very nobly said:

"I have the honor to say that my earnest purpose while on the bench, as chief justice of this territory, has been to administer justice and the laws honestly and impartially to all men, under the obligations of my oath of office. If the president of the United States has any 'policy' which he desires a judge of the supreme court to carry out in reference to Utah affairs, other than the one I have pursued, you may say to him that he has done well to remove me."¹⁶

The appointment of Judge Zane was followed, about a month later, by the appointment of Elias H. Parsons to

15. It has already been stated that Sanford had inaugurated a milder administration of the anti-polygamy laws than Utah had previously known, and it was this leniency that was complained of at Washington.

16. The correspondence in full will be found in Whitney's *History of Utah*, vol. iii, pp. 668.

be United States marshal, succeeding Frank H. Dyer, resigned; and Charles S. Varian, United States district attorney, succeeding George S. Peters, resigned. Both these men, but especially Mr. Varian, had been prominently identified with the anti-"Mormon" party in Utah.

INTERVIEW WITH CALIFORNIA LEADERS BY CHURCH AUTHORITIES
ON UTAH AFFAIRS

All these Harrison appointments foreshadowed a vigorous enforcement of the Republican anti-"Mormon" policy in Utah.

In the latter part of the month of April, 1889, Presidents Woodruff and Cannon, in company with Bishop H. B. Clawson, visited San Francisco, where they met Mr. W. W. Stow and other gentlemen connected with the Southern Pacific Railroad, Mr. C. P. Huntington, Mr. A. N. Towne, Mr. Gay; also with Leland Stanford, United States senator from California. Judge M. M. Estee, who had been the permanent chairman of the Republican party convention at Chicago, which had nominated Mr. Harrison for president, Mr. Alexander Badlam, a nephew of Samuel Brannan, of early "Mormon" and San Francisco fame, and Mr. Isaac Trumbo who seemed, with Mr. Stow, to have been active in bringing about this interview. All of them professed more or less interest in Utah and "Mormon" people affairs. Mr. Stow suggested and finally rather insisted upon Senator Stanford writing a letter to President Harrison requesting him not to make Utah appointments hastily, but to wait until he came to know more about the situation.¹⁷ Senator Stanford's letter did not reach President Harrison in time to influence his appointments for Utah, either as to haste of making them, or in personnel; or else he decided not to be influenced by what the California senator presented.¹⁸ Most likely the latter determination prevailed. Senator Stanford

17. *Woodruff's Journal, Ms.*, entry for 23rd and 24th of April, 1889.

18. *Ibid.*

expressed his doubts as to anything he might write upon the subject influencing Harrison in the matter, as he had approached the president upon the subject of Utah affairs sometime before, and expressed to the gentleman present at the interview his "fear" that Harrison was bigoted, "and is too much wedded to the Presbyterian church," to do anything in toleration of the "Mormon" situation. Still Stanford promised to write the letter requested. Meantime the vigorous prosecutions under the congressional anti-polygamy laws continued in Utah.

THE VISIT OF PRESIDENT HARRISON TO UTAH, 1891

President Harrison visited Salt Lake City on the 9th of May, 1891, on the occasion of his returning from the Pacific coast. His welcome to Utah and Salt Lake City was most hearty, but the occasion was somewhat marred by the local division of the people existing at the time, there being a manifest determination on the part of the committee in charge of the president during his brief visit to the city—part of one day only—"to keep," so one account rendered it, "the virtues and progress of the 'Mormon' people as far as practicable in the shade."¹⁹

The remark quoted is made in connection with the account of a gathering of all the "Mormon" Sunday School children of the city with the celebrated Tabernacle Choir ready to render patriotic songs in honor of the president, for whose coming they waited for hours—"but the president was not allowed by the governor and the committee in charge of the day's proceedings, to pay a visit, however brief, to the building which is one of the chief attractions of the city."²⁰

PRESIDENT HARRISON'S SPEECH AT LIBERTY PARK

The president gave no evidence of having softened the declared policy of the Republican party with reference to

19. *Deseret News*, weekly, of May 16th, 1891, pp. 661-666, where a full account of the visit, the speeches, the processions, and various features of the occasion are given.

20. *Ibid*, editorial.

the Church of the Latter-day Saints, notwithstanding the Woodruff Manifesto that had been adopted by the church, published between the time of Mr. Harrison's election and the time of his visit to Salt Lake City. In his speech at Liberty Park the president spoke glowingly of the recent admission of the Dakotas, Washington, Montana, Idaho and Wyoming; but coming directly to the problem which Utah presented, with reference to entering the Union, he said:

"We are a people organized upon principles of liberty; but, my fellow countrymen, it is distinguished from license; it is liberty within and under law (cheers). I have no discord as a public officer with men of any creed, religious or political, if they will obey the law. * * * And now, my countrymen, I beg to assure you that in every hope you have for Utah, running on these lines of free government, on these lines of domestic and social order, I have for every one of you the most cordial greeting, and enter with you into your most gorgeous hopes. God bless and keep you all, and guide you in those same paths of social purity and order and peace that shall make you one of the great commonwealths in the American Union."²¹

PETITION FOR AMNESTY

Subsequently, *viz.*, December 19th, 1891, a petition for amnesty was sent to President Harrison in behalf of those who were "under disabilities because of the operation of the Edmunds-Tucker law." This because the object of the government had been attained—the vindication of its own authority—in the surrender of polygamy by action of the church in accepting the Woodruff Manifesto. The closing paragraphs of the petition are as follows:

"To be in peace with the government, and in harmony with their fellow citizens who are not of their faith, and to share in the confidence of the government and people, our people have voluntarily put aside something which all their lives they have believed to be a sacred principle.

Have they not the right to ask for such clemency as comes when the claims of both law and justice have been fully liquidated?

As shepherds of a patient and suffering people, we ask amnesty for them and pledge our faith and honor for their future.

And your petitioners will ever pray."²²

21. *Ibid*, p. 665.

22. The petition complete is in the senate proceedings in the *Smoot Case*, vol. i, pp. 18-19.

This petition was signed by the presidency and all the apostles of the church. It was written at the suggestion of some Gentile friends, who had been asked to join in an appeal for amnesty several times for individuals—"why not draw up a petition for general amnesty," they asked and so the petition for general amnesty was written, and sent to President Harrison.

The president did not respond to this petition until the 4th of January, 1893, and then in a very guarded way, and not until such action had been recommended by the Utah Commission in its report of September 15th, 1892, and then only to be available to those who since November, 1890, had obeyed the law respecting unlawful cohabitation.²³

"The amnesty from President Harrison appears in the papers this morning, but it is of little benefit to the people," was the comment of President Woodruff.²⁴ It had been represented to the presidency of the church during the national presidential campaign of 1892—and it was evidently misrepresentation—that President Harrison had grown more favorable towards the saints, etc. The spirit and strictly guarded limits of the amnesty, did not indicate any change in President Harrison's attitude. A similar amnesty, yet a little more liberal was issued by President Cleveland in his second administration, bearing date of September 25th, 1894.²⁵ This misrepresentation of President Harrison's attitude towards the Latter-day Saints and Utah was not only untrue, but especially shameful in its mendacity during the period named. The misrepresentations were made by Utah parties during these campaign months of the presidential election of 1892, and made to deceive President Wilford Woodruff.

During Harrison's visit to Salt Lake City, a banner stretched across the front of the Juvenile Instructor Office, on

23. *Ibid*, vol. i, p. 19.

24. *Woodruff's Journal, Ms.*, entry for Jan. 5th, 1893.

25. Copy in senate proceedings, *Smoot Case*, vol. i, pp. 19-20, Oct., 1892, and for July, Aug., Sept., 1892, *passim*.

South Temple street—the Cannon Building—bore this inscription:

*"Welcome to the Grandson of Tippecanoe!
Under Harrison, Freedom Dawned in Utah."*

The last line was meant to hint gently, no doubt, that statehood would come to Utah in Harrison's administration; but such was not the case, and Utah obtained statehood in the manner described in subsequent chapters of this work.

EFFECT OF THE WOODRUFF MANIFESTO ON FEDERAL OFFICERS—
JUDGE ZANE

It was inevitable that the issuance of the Woodruff Manifesto, surrendering the practice of polygamy by the Church of the Latter-day Saints, would have a direct effect upon the local political parties of the territory. Anti-"Mormons" in general, and the anti-"Mormon" federal officers of the territory in particular, however, were slow to accept as in good faith the action of the church in this sudden change of front on so important a subject. As to the federal officers, it may be said, there was but one exception; that of Chief Justice Chas S. Zane. In the third judicial district court, on the 7th of October, 1890,—the day following the acceptance of President Woodruff's Manifesto by the church in general conference assembled, the judge in admitting several persons to citizenship let it be understood that he accepted in good faith the Manifesto, and that hereafter in his court he would not make "the single fact that an applicant is a member of the Mormon church a bar to his admission to citizenship."²⁶ One may not omit calling attention to the fact, however, in passing, that this is a confession by the judge that in the past, in his court, the simple fact that an applicant for citizenship was a member of the Church of the Latter-day Saints was sufficient to bar him from admission. "The simple fact" that such a policy obtained is a disgrace to the

26. *Deseret News*, weekly, Oct. 11th, 1890, where the judge's statement is published in full.

history of the federal jurisprudence of the territory. It will not be unfair to the "upright judge," to suppose that he felt the disgrace of that policy, established by the decision of Judge Anderson—considered in preceding pages,—and hastened to depart from it at the first opportunity that presented itself.²⁷

The judge consistently continued to maintain this attitude toward what he regarded as the changed conditions. A year later he contributed an article to the November, (1891), *Forum*, in which, among many other good things he said of the people, was:

"It is idle now to think of disfranchising the Latter-day Saints. They are an industrious, temperate people, as a rule; and my observation has led me to believe that they are law-abiding since the church took its stand under the law against plural marriage. I am aware that now and then individuals will report violations of that law since the Manifesto; but upon investigation such charges are seldom sustained. It would be strange if there were no breaches of it; there are some such cases among non-Mormons. I do not believe that such marriages have been authorized or sanctioned by the officers of the Mormon church since the Manifesto."

JUDGE ANDERSON'S POSITION

Judge Thomas J. Anderson, of the second judicial district, whose judicial investigation and decision inaugurated the policy of denying alien Latter-day Saints citizenship because they were members of the "Mormon" church was the very opposite of the attitude of Judge Zane. In November following the issuance of the Manifesto, he reaffirmed his former ruling, "having no faith" in the action of the leading authorities of the church, or of the church itself. The judge on the occasion of reaffirming his former decision said that "a member of the Mormon church no matter how good his moral character was otherwise, was not fit to be a citizen." His decision refusing seven "Mormons" to citizenship was sent as a special dispatch from Beaver—southern Utah—to

27. *Salt Lake Herald*, Dec. 3rd, 1890; *Deseret News*, weekly, Dec. 13th, 1890, where Judge Zane's statement is given *verbatim*.

the *Salt Lake Herald*. Also it could be held, from the Anderson point of view, that the issuance of the Woodruff Manifesto did not in a vital way reach the graveman of the infamous Anderson decision, on which the policy of the courts was based, *viz.*, upon the false statements that the said church "is both a temporal and spiritual kingdom, and should rightfully control, and is entitled to the highest allegiance of men in all their affairs. * * * *That this kingdom will overthrow the United States, and all other governments.* * * * *That the teachings, practices and aims of the Mormon church are antagonistic to the government of the United States;* * * * and that its members are animated by a feeling of hostility towards the government and its laws, and therefore an alien who is a member of said church is not a fit person to be made a citizen of the United States."

ATTITUDE OF GOVERNOR THOMAS

The prompt action on the part of Judge Zane in accepting the Manifesto was in marked contrast with that of Arthur L. Thomas, governor of the territory, who in making his report to the secretary of the interior in 1891 gave but a guarded acceptance of the Woodruff Manifesto, though he stated in referring to the indorsement of the document by the church in the general conference, that he "accepted their action as a sincere expression of their views;" and added that "their action should be regarded as sincere until there is good reason for thinking otherwise."

THE UTAH COMMISSION'S ATTITUDE ON THE WOODRUFF MANIFESTO

Again and especially was the action of Judge Zane in marked contrast with that of the Utah Commission. The 1890 report of the Utah Commission dealt chiefly with the municipal election at Salt Lake City, in February of that year and the Liberal party victory. It took occasion, however, to recommend the passage by congress of the Idaho test oath law for Utah—by then affirmed by the supreme

court of the United States to be constitutional—which could well have been entitled “An act for the disfranchisement of all members of the Church of the Latter-day Saints.” It stated that “in all the teachings of the tabernacle and the church organs every effort of the government to suppress this crime (polygamy) is still denominated as a persecution, and those charged with ferreting out and prosecuting the guilty are denominated persecutors of the saints. The church seems to grow more and more united from day to day under these teachings.”²⁸ The commission’s report for 1890 bears date of 22nd of August, so that like the annual report of Governor Thomas for that year, it was issued before the Woodruff Manifesto. But in the report of 1891, they very unworthily discounted and discredited both the action of President Woodruff and of the church.

“How much weight,” the commission proceeds to argue, “should be given to the declaration of a man who dares to assert that the spirit of God came upon him to charge that the Utah Commission was the retailers and peddlers of falsehoods, and by reason of that fact he was to declare to the world that the church he commands will now change front completely, and abandon the ordinance of God which has heretofore been so delightful a work for them, can be judged to a degree from the declaration itself.”²⁹

Fortunately it can, and one would think to the confusion of this commission; for the “declaration” does not purport to change the policy of the church in an important matter because the Utah Commission has sent out false reports respecting plural marriages in Utah, within a given time period, as stated in their report; but for the very much more serious and dignified reason which the Manifesto specifically assigns for said action, *viz*:

28. *Report of the Utah Commission* for 1890, p. 20. It is published in pamphlet form, 34 pages.

29. There is much more to the same effect from this supposedly dignified body of United States officials; and they think it important in a state paper to repeat from a remote source some dreams President Woodruff had related, as throwing “further light” upon “his character and the weight to be given his utterances.”

*"Inasmuch as laws have been enacted by congress forbidding plural marriages, which laws have been pronounced constitutional by the court of last resort, I hereby declare my intention to submit to those laws, and to use my influence with the members of the church over which I preside to have them do likewise. * * * I now publicly declare that my advice to the Latter-day Saints is to refrain from contracting any marriage forbidden by the law of the land.*

(Signed) "WILFORD WOODRUFF,"

*President of the Church of Jesus Christ of Latter-day Saints."*³⁰

FALSE REPORT OF THE UTAH COMMISSION ON "MORMON"
CRIME IN UTAH

After a most confusing tabulation of sexual crimes in the territory since their report of the previous year, in which all the said crimes in the territory, Gentile as well as "Mormon," are recorded—but in such form as to leave the impression that they are all "Mormon" crimes—the commission in the concluding paragraphs of its report expresses satisfaction at the progress which President Woodruff's Manifesto marked "on the road to a better civilization; * * * but [they] cannot recommend the withdrawal at this time of any portion of the safeguards thrown around this people by the law-making power of the government." The commission was also most "emphatic in expressing its opinion that it would not at this time be safe to entrust to this people the responsibilities and duties of statehood as they so much desire."

The commission (in some ill temper, however), reported that "notwithstanding the Manifesto" reports had been received by them expressing the belief that "eighteen male persons, with an equal number of females * * * had entered into polygamous marriages during the year." The year before they had reported forty such marriages, it will be remembered. The accusation brought forth a most vigorous official denial by the church leaders at the October conference following—1891. A special committee was appointed to bring in a protest and resolutions upon the subject, both

30. See *Woodruff Manifesto*, previously quoted in this chapter.

as to the commission's charges about polygamous marriages and also respecting the political domination of the church members by church authorities. The committee composed of influential members of the church and also recognized as being among the first citizens of the territory,³¹ reported upon both these matters.³²

DENIAL OF UTAH COMMISSION'S REPORT BY FIRST PRESIDENCY

In addition to this the first presidency issued the following:

OFFICIAL DECLARATION

"Concerning the official report of the Utah Commission made to the secretary of the interior in which they allege 'During the past year, notwithstanding the Manifesto, reports have been received by the commission of eighteen male persons who with an equal number of females, are believed to have entered into polygamous marriages, during the year,' we have to say, it is utterly without foundation in truth. We repeat in the most solemn manner the declaration made by President Wilford Woodruff at our general conference, held last October, that there have been no plural marriages solemnized during the period named.

Polygamy or plural marriage has not been taught, neither has there been given permission to any person to enter into its practice, but on the contrary, it has been strictly forbidden.

[Signed] "WILFORD WOODRUFF,
GEORGE Q. CANNON,
JOSEPH F. SMITH,"

First Presidency of the Church of Jesus Christ of Latter-day Saints."³³

The resolution and the official declaration of the presidency were sustained by unanimous vote of the conference.

COMMISSIONER MCCLERNAND'S DISSENTING VIEWS FROM HIS COLLEAGUES

The report of the commission for 1891, here being considered, was not a unanimous report, General John A. McClernand, with the consent of his colleagues of the commission made a separate report differing radically in spirit

31. They were all of Salt Lake City. John Clark, afterwards mayor of Salt Lake City. W. H. Rowe, Charles W. Penrose, John T. Caine, Franklin S. Richards.

32. See Minutes of the General Conference of the Church, *Millennial Star*, vol. liii, Nos. 50 and 51, pp. 785-9; and 801-7. Where the discussion of the matter as well as the committee's report is given in full.

33. *Ibid*, p. 505.

and statement of conditions as also in recommendations. In this matter of polygamous marriages. For instance, he substituted "official evidence" for the "extra-official accusations" of the registrars; such official "evidence coming through the district courts of which there were four in number." The time period was from the first of September, 1890, to 1st September, 1891. According to this evidence there were but four convictions for polygamy, one from each judicial district, one of which—the case in the third judicial district, Judge Zane presiding, was not a "Mormon" case.³⁴

ATTITUDE OF THE "SALT LAKE TRIBUNE," ORGAN OF THE
ANTI-"MORMONS"

The *Salt Lake Tribune*, the organ of the anti-"Mormon" "ringites" declined to put any confidence in the Manifesto, and for some years insisted upon keeping conditions in the territory in *statu quo*, as well in relation to political relations within the territory, as between the territory and the federal government until time should demonstrate the genuineness of the Latter-day Saint Church action.³⁵ But neither the people nor the conditions would remain in *statu quo*. A revolution had begun in the issuance of President Woodruff's Manifesto. Impatience at its slow development was at times manifested. It involved the disintegration of the old local political parties. The earliest move leading up to that event appears to have been the organization of a Democratic club in the office of Marshal Frank H. Dyer, in April or early in May, 1890, and all interested in the Democratic cause ("Mormons included!") were invited to become members.³⁶ On May 10th the club held an outdoor meeting, "T. B. O'Brien spoke on the principles of Democracy and

34. The report in full, both majority and minority divisions will be found in *Deseret News*, weekly, of Oct. 17th, 1891, pp. 537-545.

35. This was the *Tribune's* attitude from the first; see especially its editorial of Oct. 3rd, 1890; and through several years following, *passim*.

36. *Utah As It Is*, 1904, pp. 141-2. Mr. S. A. Kenner, author of the work here quoted, puts the time of these meetings and the organization of the "Central Democratic Club," in June; but as early as May 10th, the club was active as described in the text.

gave the Liberal party a vigorous toasting," says the chronicle of the meeting.³⁷ The meeting adopted a Memorial to congress, protesting against the passage of legislation then pending in that body (the Struble bill), "to deprive a large number of American citizens of the elective franchise solely on account of their membership in an unpopular religious organization." The Memorial declared "the motive of the effort" to be "purely political;" and "with the view of transferring to the minority of the voters in the territory the local control which of right should be vested in the majority." "We who are Gentile citizens of this territory," continued the Memorial, "denounce this attempted legislation as un-republican, undemocratic, and unnecessary." The Memorial declared "practical polygamy" to be fast disappearing in Utah, they favored constitutional legislation for its entire extinction. "We will also support any lawful plan to keep separate and distinct the affairs of any and every church from the affairs of state and from politics. But we are opposed to persecution on account of creed or worship, and to any interference with civil or religious liberty."³⁸

The meeting also passed resolutions denouncing the proprietors and editors of the *Salt Lake Tribune*, who controlled the associated press dispatches from Salt Lake City, and judging that because of prejudice they would color to the disadvantage of Democrats the reports of developments in Utah, the meeting petitioned Senator Calvin S. Brice, chairman of the national Democratic committee, to use his influence to have a fair minded man appointed as associate press agent in Salt Lake City.⁴¹ Nothing immediately practical came of these several resolutions, but the organization of Democratic clubs and the activities indicated the important changes taking place in Utah political affairs, and led finally to the organization of the Democratic party in the territory.

37. *Deseret News* account of the meeting, weekly, for May 17th, 1890, p. 690.

38. *Deseret News*, weekly, of May 17th, 1890

BIRTH OF THE REPUBLICAN PARTY IN UTAH

About a year later the Republicans hitherto connected with the local parties took steps to organize the Republican party in Utah. A great mass meeting was held at the Salt Lake Theater on the 20th of May, 1891, at which it was resolved that "political parties in Utah should be organized with reference to national questions and politics, and to act in harmony with the national parties." The resolutions met with strong opposition, but were finally sustained, it was estimated by "a vote of two to one."³⁹ A committee of eight was appointed to draft an address "To the People of Utah,"⁴⁰ which a few days later was published.

In closing the document gave a general invitation to the people to join the Republican party, and called for the appointment of precinct meetings and county conventions to choose representatives to a territorial convention where the party's organization might be effected and its platform adopted. On the 25th of May the Central Republican Club of Utah was organized "as an educating, social medium."⁴¹

OPPOSITION TO THE ORGANIZATION OF THE NATIONAL PARTIES
IN UTAH

There was considerable opposition to the organization of the national parties in Utah by the Democrats and Republicans, respectively, in the Liberal party, as they were not convinced that the time had come for a division on national party lines. The Democrats, under the leadership of Judge O. W. Powers, Judge R. N. Baskin, *et al*, held a public meeting on the 25th of May, 1891, at which it was claimed a thousand people were present, and after many speeches and much excitement and ill feeling were manifested, a resolution was adopted announcing to the people of the

39. *Salt Lake Herald* of May 21st, 1891, where a very full account of the meeting—speeches and resolutions complete, and also final action will be found.

40. The committee was Judge C. W. Bennett (Gentile), James Sharp ("Mormon"), H. M. Wells ("Mormon"), Wm. Balderston (Gentile), H. G. McMillan (Gentile), John Henry Smith ("Mormon").

41. *Deseret News*, weekly, of June 6th, 1891, pp. 773-4.

territory that "the Democrats of Salt Lake City are true to the Liberal party, and ask all loyal citizens to stand with them shoulder to shoulder for American principles."⁴²

There had been in the territory for some years a "Republican committee," composed chiefly of Republican office-holders in Utah, which after the fashion of the "three tailors of Tuele street," affected to be the Republican party of Utah. They had kept in touch with the national party through the party conventions and the congressional and national committees. This became the Republican party which for so many years had controlled the federal patronage in the territory. A majority of this Republican territorial committee—the whole number was fifteen—was highly incensed that any movement should be made for the organization of the party at large in the territory without taking counsel and direction from them; and accordingly nine of the fifteen met in the office of the Utah Commission and formulated a protest against the proposed division. "We hold," they said—

"We hold that the division by loyal men on party lines in Utah at this time would be an irrevocable, fatal mistake, as it would place the absolute rule of the territory in the hands of the first presidency of the Mormon church; as it would speedily result in giving statehood to this territory and that statehood would be under control of the Mormon theocracy.

Resolved, That Utah is not yet prepared to accept the trust of statehood, because a majority of her people still maintain a higher allegiance to the theocracy under which they have all their lives served than to the government of the United States."⁴³

DISSOLUTION OF THE PEOPLE'S PARTY PROPOSED

On the 29th of May, Mr. Franklin S. Richards the chairman of the central committee, at a meeting of the precinct committees and club officers of the People's party for Salt Lake county, submitted to them for consideration a series of statements and a resolution that had been formulated by

42. See *Salt Lake Herald* of May 26th for full account of this meeting.

43. *Deseret News*, weekly, of June 20th, 1891, p. 830. Mr. Arthur Brown, a member of the committee, sought to have the other eight gentlemen change their views and issue a different statement—but in vain. He issued a minority statement and protest against the action of the committee. (*Ibid*).

the central committee, proposing the dissolution of the People's party, and proclaiming its members free to ally themselves "with the respective national parties, according to their individual preferences." After much discussion the proposal to dissolve the party in the county was carried without a dissenting vote.⁴⁴

Ten days later a similar action was taken by the territorial central committee for the entire party. The meeting was held on the 10th of June. A committee was appointed to draft resolutions. They reported that a radical change had taken place in the territory; that progressive people had determined to bury old strifes, dissolve merely local combinations and make national questions paramount; that both Democrats and Republicans who had formerly united with the Liberal party had severed that connection and organized under the respective national parties; that each of these organizations had repudiated the Liberal party policy designed to destroy the political liberties of the majority of Utah's people, and had declared against disfranchisement except for crime determined by due process of law; that it was desirable that the dissensions and struggles which had hitherto hindered the progress of the territory should be left behind in the march of the people toward their high destiny; therefore the committee recommended that the People's party dissolve and "leave its members free to unite with the great national parties." The committee's report was unanimously adopted.⁴⁵

The Liberal party, as before stated, refused at this time to disband. On the 29th of May it held a great rally in Salt Lake City at which there were between four and five thousand people present. The meeting was preceded by a street parade headed by the celebrated Liberal drum corps, dressed in Zouave uniforms. The speeches by the old leaders, Powers, Baskin,

44. *Deseret News*, weekly, of June 6th, 1891, p. 763.

45. The committee was Charles W. Penrose, of Salt Lake county; W. H. Brown, of Utah county; David H. Cannon, of Washington county; Fred Turner, of Cache county, and H. S. Gowans, of Tooele county. (For proceedings in full, see *Deseret News*, weekly, of June 20th, 1891, p. 835).

Dickson, Goodwin, Varian, Hoge, Stanton, Allen, *et al*, manifested strong feeling and in some cases bitterness.

Mr. C. E. Allen (afterwards congressman from Utah) said: "Now you young men of Utah who have worked with the People's party heretofore, we don't want you; that is, we don't want you in the front ranks; if you join us you must remain in the rear and work that way; but don't come to the front and ask to join in the honor with us, because you are not entitled to it."⁴⁶

The one refrain running through all speeches was the assertion of the unpreparedness of Utah for statehood—for all were agreed that the new movement meant statehood,—and the likelihood was that all the work of the Liberal party in the past would go for naught.⁴⁷

The Liberal meeting passed no resolution, and gave no formal expression to the prevailing sentiment, but the Liberal party continued for some time, two years, as an organization.

46. See *Salt Lake Herald* and *Deseret News* account of Liberal meeting, impressions of May 30th, 1891.

47. The account of this meeting is given at length in the *Salt Lake Tribune* of the 30th of May, *Salt Lake Herald* of same date; and a fair synopsis of the speeches will be found in the *Deseret News*, of same date.

CHAPTER CLXXIII

FEAR OF MORMON CHURCH CONTROL OF THE STATE—"CHURCH INFLUENCE"

THE one thing which above all others seemed to hold in check the development of the territory of Utah into normal political conditions was the fear that the leading authorities of the Church of the Latter-day Saints, and more especially the first presidency, would be able to, and would, dominate the political action of its members, and thus control to its own liking and purpose the state, when statehood should come; and that the large measure of control exercised by the federal government, while Utah remained a territory, would be withdrawn.

POLITICAL ATTITUDE OF THE CHURCH TO CIVIL GOVERNMENT AND POLITICS

To ascertain definitely what the attitude of the Latter-day Saint Church authorities would be with reference to this matter, a list of very carefully prepared questions was made by the editors and management of the *Salt Lake Times*, and submitted to the first presidency. These questions were taken under advisement, carefully considered and written answers made thereto, for which reason the "*Times Interview*" became a somewhat noted and official document in political controversies in Utah.¹

DIGEST OF THE "TIMES INTERVIEW"

Excerpts from the introduction to the "Interview" will disclose the reason for seeking it:

"The only reason put forward in opposition to the organization of parties on national lines in Utah is that the People's party is not sincere in the dissolution that has been effected and that a plot has been laid by which the Liberals are to be divided and the political control of Utah placed in the hands of the Mormon people for purposes adverse to the in-

1. It appeared in the *Salt Lake Times* of June 23rd, 1891. It will also be found in *Deseret News*, weekly, of July 4th, 1891.

terests of the Gentile element. * * * In brief, it has been claimed that it is the purpose of the church to secure statehood for Utah, and through the alleged political control of its members, seize all the offices and carry on the government in the interest of Mormons and against the interests of non-Mormons. It is held that the church claims the right to exercise absolute authority over its members in all matters and that this extends to direct dictation as to whom they should vote for at all times. We are told that those who have joined the Democratic and Republican parties have done so at the direction of the heads of the church, that the People's party was dissolved at their dictation, and that its members will be subject at all times in the future to their absolute control. We are told further that polygamy has simply been suspended, to be re-established in the future under the protection of state laws enacted by Mormon legislatures; and that these legislatures, elected by the decree of the church will pass other laws intended to oppress Gentiles and work virtual confiscation of their property."

Such the charges made against the church, and these constitute the justification for seeking the "Interview" and the answers that were given.

Following is a digest of the "Interview," the propositions being so stated as to include both the questions and the answers thereto:

"1. The church will not assert any right to control the political actions of its members. As officers of the church they disclaim such right.

2. There will be no reason for the members of the church to come together and vote solidly if political conditions in Utah are similar to those which prevail elsewhere [i. e., as in other states].

3. However much appearances may have indicated that the 'Mormon' people have favored a union of church and state (reference is made to conditions that existed in early days in Utah), there is no real disposition to unite church and state; in fact, there should be a separation between the two.

4. It is the wish of the 'Mormon' people to unite with the great national parties and conduct politics in Utah as they are conducted in all other states; there is no reason why the members of the church should not act freely with the national parties at all times.

5. It is conceded that there is nothing to be gained for the church by securing for it political control in Utah with or without statehood; the members and leaders of the church desire to place it in a position in the community like that occupied by other churches; the only protection the 'Mormon' church desires is that which it would obtain under general laws which secure the rights of all denominations. It would be unwise for the 'Mormon' people to endeavor to receive any advantages not shared in by all other religious people. All that is asked for the church is that it shall have equal rights before the law."

The position here taken by the church authorities was again authoritatively set forth in the October conference following. It may also be said to have been the attitude of the church from the beginning, and any departure from a strict observance of the principles underlying this attitude in the Utah period of its history was due to the development of an attack upon the church, of which these pages bear abundant evidence. But the conception of the church respecting its relationship to civil government is thus authoritatively summarized and set forth by the church authorities, and sanctioned by action of a general church conference as follows:

"We believe in being subject to kings, presidents, rulers and magistrates, in obeying, honoring and sustaining the law."²

Such is the acknowledgment of the church's duty to civil governments. Again:

"We believe that all governments necessarily require civil officers and magistrates to enforce the laws of the same, and that such as will administer the law in equity and justice should be sought for and upheld by the voice of the people (if a republic), or the will of the sovereign. We do not believe it just to mingle religious influence with civil government, whereby one religious society is fostered and another proscribed in its spiritual privileges, and the individual rights of its members, as citizens, denied."³

With reference to the laws of the church, it is expressly said:

"Be subject to the powers that be, until he reigns whose right it is to reign [the Christ] and subdues all enemies under his feet.

Behold, the laws which ye have received from my hand are the laws of the church, and in this light ye shall hold them forth."⁴

"That is to say, no law or rule enacted, or revelation received by the church, has been promulgated for the state. Such laws and revelations as have been given are solely for the government of the church."⁵

2. Articles of Faith, No. 12. *Pearl of Great Price* following writings of Joseph Smith, p. 58.

3. *Doctrine and Covenants*, sec. cxxxiv:3.

4. *Ibid.*, sec. 58.

5. See Minutes of Conference for October, *Deseret News*, weekly, Oct. 10th, 1891; and an address of the Church of Jesus Christ of Latter-day Saints to the world, submitted by the first presidency to the general annual conference of said church, April 5th, 1907, published in *Defense of the Faith and the Saints*, vol. ii, pp. 237-254.

THE GARDO HOUSE MEETING

Notwithstanding in the "*Times Interview*" it is stated that the dissolution of the People's party was not brought about by the "fiat or instruction of the church," it should be remembered that such were the relations of the People's party to the church, that party being its shield against unjust political assaults made upon it, and the instrument through which the church members had politically functioned—it was to be expected that when so weighty a matter as disorganizing that party was under consideration the leading authorities of the church would have a deep concern—and rightly—in such an important step. And hence in the annals of Utah there is reference to a certain meeting held at the Gardo House (for some time known as the "Amelia Palace;" it stood on the corner of South Temple and State streets, on the site now occupied by the Federal Reserve Bank Building) previous to the action by the chairman of the People's party taking steps to dissolve that party. It was said that many of the leading authorities were present and the idea of dissolving the party was favorably considered. It is doubtless to this circumstance that reference is made in the "*Times Interview*" where it says: "They [i. e. leaders of the People's party] have stated to us their convictions that the time had come for a division on national party lines. There has been a growing feeling in this direction for a long time." But though the matter of dissolution was considered at the Gardo House meeting, and assent to such action was given, it does not follow that the "order" for its dissolution was then promulgated; or that the dissolution of the party took any other course than that described in these pages and in the "*Times Interview*."

TRI-PARTY CAMPAIGN AND ELECTION OF 1891

The Gardo House meeting was referred to in remarks by President Joseph F. Smith, at Logan in May, 1896, and reported in the *Salt Lake Tribune* of May 10th, of that year.

In the Smoot investigation before the senate committee on privileges and elections—the matter was developed as follows:

Attorney to President Smith:—"The '*Times Interview*' account of the dissolution of the People's party is as follows: 'It is asserted that the People's party was dissolved by direction of the church.' Is there any foundation for that charge?"

Ans. "The People's party was dissolved, as we understand, by the action of its leading members. They have stated to us their convictions that the time had come for a division on national party lines. There has been a growing feeling in this direction for a long time, and the dissolution of the People's party is the result of that sentiment, and not the fiat or instruction of the church. The first intimation we had of dividing on party lines came to us from Ogden. There is, therefore, no foundation for the charge that the church brought about the dissolution of the People's party."

The result of all this agitation was that in the territorial election of August following, three tickets were before the people. The Liberal party elected four members of the legislative council; the Democrats eight; the Liberals elected eight members of the house of representatives, the Democrats sixteen.⁶ Taking the vote for the members of the house of representatives, the Democrats cast 14,369; the Republicans 6,397; the Liberals 7,411, scattering, 63. "Premising these figures," said General McClernand, a member of the Utah Commission, commenting on the result of this election in his minority report to the secretary of the interior:—

"Premising these figures, and assuming that the body of the Liberals had consistently, as professed Republicans, united with the distinctive Republicans, and that a number of Republican Mormons had done the same who did not, lest by so doing they should indirectly promote Liberal success, and, consequently, their own disfranchisement; premising these conditions as real or hypothetically reasonable, would not the election as between the Republicans and Democrats have been

6. The previous legislature had been:	
In the council—Liberals—Anti-"Mormon"	2
People's party—"Mormon"	10
Total	12
In the house, Liberals	5
People's party	19
Total	24
(Utah Commission Report for Sept., 1891).	

at least doubtful? Well-informed Republicans and Democrats in the territory have said so.”⁷

From which circumstance, the near equality of numbers as between Democrats and Republicans, McClernand held, would safeguard the future state from church dictation.⁸

By the time the next election was held—the election for delegate to congress—the accessions to the Democratic and Republican ranks had been increased, but there were still enough Liberals remaining organized to put a ticket in the field. Mr. John T. Caine, who for five successive terms had been the nominee of the People’s party,⁹ though a staunch Democrat, was persuaded not to seek the candidacy as it would doubtless be more in harmony with developing events to have a new candidate. Accordingly Joseph L. Rawlins, a native of Utah, and of “Mormon” parentage, but as to religion an agnostic, was the nominee of the Democratic party. Frank J. Cannon, son of George Q. Cannon, was nominated by the Republicans, and Mr. C. E. Allen by the Liberals. Mr. Rawlins was elected by a plurality of 2,811.¹⁰

ALLEGED EMPLOYMENT OF “CHURCH INFLUENCE” IN THE CAMPAIGN OF 1892

There was a charge made that “Mormon church influence” was exerted in this campaign, owing to the issuance of a pamphlet in the interests of Mr. Frank J. Cannon, by which it was held that Joseph Smith the Prophet, and his brother Hyrum, were “old line whigs”—predecessors of Re-

7. *Utah Commission Report*, minority, Sept., 1891.

8. See context in the *Utah Commission Report*. It is seen from the above that McClernand assumed that the seven thousand Liberals who constituted the remnant of the Liberal party in the election of 1891 were mostly Republicans; subsequent events demonstrated the correctness of the assumption.

9. The opponents of Mr. Caine in the several elections for which he stood and the results in each are here stated:

1882 Caine—Van Zile	23,039—4,884
1884 Caine—Ransford Smith	21,130—2,215
1886 Caine—Col. Wm. M. Ferry	19,605—2,810
1888 Caine—R. N. Baskin—Thurman	10,127—3,484—511
1890 Caine—C. C. Goodwin, scattering	16,353—6,912—28

10. Returns show that Rawlins received 15,201; Cannon 12,390; Allen 6,986. (*Deseret News*, weekly, of Dec. 3rd, 1892, p. 751).

publicans in political principles— while other church leaders also were Republicans and of course protectionists. The pamphlet was illustrated with portraits of these church leaders, and with that of Frank J. Cannon. Further evidence of "church influence" was alleged by the issuance and circulation of a certificate bearing witness to the good standing in the church of Mr. Cannon—of which there was much question at the time—by men in high standing in the church, which, taken with the well-known agnosticism of Mr. Rawlins, was likely to greatly influence the election in Mr. Cannon's favor.¹¹

It was also charged that the name of the presidency of the church was being used to influence people who were Democrats to become Republicans. This in the territorial legislative election of 1891; and especially in connection with a municipal election at Logan, where it was held that a letter written by Mr. George F. Gibbs, secretary to the first presidency, had been effective in turning many Democrats from their party to the Republican fold. The incident is chiefly valuable in that when protest was made against such proceedings it brought forth a written statement from two of the first presidency—President Wilford Woodruff and Joseph F. Smith—which presents the attitude of the church presi-

11. The above referred to pamphlet was named *Nuggets of Truth*; for a fuller description and the manner of issuing it, see *Hearings in the Smoot Case Before the Senate Committee on Privileges and Elections*, 1904, vol. i, p. 828; and for the matter of certificate of Mr. Cannon's standing, *Ibid*, p. 826. Mr. Cannon alludes to both these matters in his *Under the Prophet in Utah*, p. 124 (this was a bitterly anti-"Mormon" book); and charges the Republican territorial committee with issuing the *Nuggets* and the "certificate of standing" during his absence from the party's headquarters, and that he repudiated the action on his return to headquarters, and threatened to resign as a candidate. Mr. Cannon represents that the pamphlet was withdrawn but not until the mischief was done; he represents himself as deservedly defeated in the campaign of 1892, because of the use of such methods. He was made "the innocent victim of the atrocity!" Of all this, however, nothing was heard in Utah until the publication of the ex-senator's anti-"Mormon" book referred to above, and published in 1911—nineteen years after the election. The Democratic party of Utah issued a pamphlet in answer to the *Nuggets of Truth*, under the same title but with a subtitle—"Hear Ye the Whole Truth as to Joseph Smith's Political Views," and then followed a compilation from the church records of many passages setting forth the alleged views of the Prophet favorable to Democratic principles, and policies of government.

dency—and of course of the church—in the matter of their relationship to politics. In the statement they said:

"We emphatically deny that we, or either of us, authorized Mr. George F. Gibbs or any other person or persons to use our names so as to influence citizens to vote the Republican ticket, at Logan or elsewhere. If our names have been used in any such way, it has been entirely without permission from us, and we hereby condemn it as wrong and reprehensive. If we have any desire in this matter it is that the people of this territory shall study well the principles of both the great national parties, and then choose which they will join, freely, voluntarily and honestly, from personal conviction, and then stand by it in all honor and sincerity. Each party should have the same rights, privileges and opportunities as the other. If any man claims that it is the wish of the first presidency that a Democrat shall vote the Republican ticket, or a Republican the Democratic ticket, let all people know that he is endeavoring to deceive the public and has no authority of that kind from us. We have no disposition to direct in these matters, but proclaim that, as far as we are concerned, the members of this church are entirely and perfectly free in all political affairs. But they should not indulge in ill-feeling or personalities. President George Q. Cannon is absent, but we are sure that if he were here he would sign this declaration with us.

[Signed] "WILFORD WOODRUFF,"

[Signed] "JOSEPH F. SMITH,"

*Of the Presidency of the Church of Jesus Christ of Latter-day Saints."*¹²

PASSAGES AT ARMS IN THE CAMPAIGN OF 1892

The campaign was enlivened by a conjoint debate between the candidates for the delegateship, one session of which was held at Ogden, the other at Salt Lake City.¹³ There was also a sharp passage at arms between the Democratic nominee and President George Q. Cannon relative to the latter bartering the "Mormon" vote for personal advantage in the matter of being relieved by the late Republican administration from the payment of the forfeited bonds in the unlawful cohabitation cases against him—already considered—in which the amount involved—with interest accrued—was \$33,000. Mr. Cannon indignantly denied in a personal card the im-

12. *Deseret News*, weekly, of March 25th, 1892, p. 440. In the *Salt Lake Herald* of Nov. 5th, 1895, will be found the Geo. F. Gibbs letter complete together with the history of the whole affair from 1891, to 1895, for this controversy arose again in the election of the latter year.

13. Full synopsis of the debate appears in the local papers—*Herald* and *Tribune* of current date.

putation that there had been any agreement respecting Utah votes for the Republican party.¹⁴

During Mr. Rawlins' term as delegate, he introduced a resolution in the house restoring the personal property of the Church of the Latter-day Saints that had been escheated by the government, amounting to nearly half a million dollars. It was passed by both the house and the senate and was finally approved by President Cleveland on 25th of October, 1893.

PASSAGE OF UTAH'S ENABLING ACT FOR STATEHOOD

On September 6th, Mr. Rawlins introduced an enabling act, authorizing the territory of Utah to frame a state Constitution and take the necessary steps to be admitted into the Union on an equal footing with the original states.¹⁵ The bill did not pass the house until the 13th of December of that year.

On learning of the passage of the bill in the house, the following telegram was signed and sent to Mr. Rawlins:

"Salt Lake City,
Dec. 13th, 1893.

On behalf of ourselves and the people of Utah, we heartily congratulate you on the successful passage of your bill by the house providing statehood for our territory. May complete triumph crown your labors, which we all highly appreciate.

[Signed] "WILFORD WOODRUFF,"
"JOSEPH F. SMITH."¹⁶

George Q. Cannon was absent from the city—in Washington in fact—hence his name does not appear on the message. The following was sent to Mr. Rawlins from the chairman of the Republican territorial committee:

14. Mr. Cannon's card is published in *Deseret News*, weekly, of Nov. 12th, 1892, pp. 651-2.

15. There is much confusion in our Utah periodicals and other publications in the dates given for the introduction of these measures, the enabling act and the resolution for the restoration of the escheated personal property of the church. The former was introduced on the date given in the text, the sixth of September, 1893, and is recorded in the *Congressional Record* of Sept. 6th, p. 1276. The latter was introduced on the 9th of September, and the account of it is in the *Congressional Record* of Sept. 9th, p. 1362.

16. *Woodruff's Journal, Ms.*, for Dec. 13th, 1893, cf. *Salt Lake Herald* of Oct. 28th, 1894.

"Dec. 14, 1893—Salt Lake City, Utah.

Accept heartiest congratulations for the Republican party of Utah, for the results in the house yesterday of your magnificent fight for statehood. *The Republican Territorial Committee.*

[Signed] "CHAS. S. CRANE."¹⁷

The *Deseret News* was ardent in its praise of the part taken by Joseph L. Rawlins in securing the passage of the enabling act through the house.¹⁸

Utah's enabling act did not pass the senate until the 10th of July of the following year, 1894. On the 16th of July, 1894, the bill was approved by President Grover Cleveland, and the way was thus cleared at last for Utah's statehood.

As soon as the enabling act was signed by President Cleveland, the presidency of the Church of the Latter-day Saints was mindful to recognize other besides Democratic agencies, in securing statehood for Utah, among them Colonel Isaac Trumbo, who had interested himself in Utah affairs. He was important only, however, as he represented the California Republican group of politicians and business men before referred to as interesting themselves in Utah affairs.¹⁹

THE "HOME RULE" BILL OF 1892

In 1892 an effort had been made to secure what was called "home rule" for Utah, a Democratic measure, designed, while falling short of statehood, to secure a very much larger participation by the people in the territorial government. It provided that all territorial officers from governor to precinct justices of the peace and constables should be elected by the people, as well the judiciary as the executive and legislative branches; said officers to be, of course, citizens of the United States, *and citizens and residents of the territory of Utah*. It was designed to abolish the Utah Commission,

17. Copied into *Salt Lake Herald* of Oct. 28th, 1894.

18. See *Deseret News*, weekly, Dec. 23rd, 1893, editorial, p. 9.

19. The dispatch to Mr. Trumbo and other papers on the subject will be found in proceedings before the committee on privileges and elections in the *Smoot Case*, vol. i, p. 830.

as well as Washington-appointed governors and judges; it was practically a statehood measure, except for the control of the territory legislation which under it would still inhere in the federal government.²⁰ It was simply put forth as a measure of relief from intolerable injustice under the then existing territorial government, pending the time when Utah might be admitted as a state. All its advocates affirmed the readiness of the territory for admission into the Union, but feared it would be some time before public sentiment would justify congress in admitting Utah as a state, hence "home rule" *ad interim*. The Utah legislature memorialized congress early in 1892 to pass the bill, and in February elaborate hearings were had before the committees on territories of the senate and house respectively. Both prominent "Mormons" and Gentiles appeared before the committees "to urge its passage."

Some Utah Republicans, "Mormons" and Gentiles, opposed the measure, both in the territory and before the congressional committees, as being likely to retard the coming of statehood; and Liberals opposed it, because they were against enlarging the sphere of local self-government in the territory either by the passage of this "home rule" bill or by granting statehood. The bill was favorably reported to the house on March 30th.²¹ On the 8th of July it passed that body by a vote of 164 in its favor, to 41 against it; 123 being absent and not voting. The measure, however, failed to reach the senate for consideration; and indeed events were now forming so rapidly in favor of statehood for Utah that it would have been the height of unwisdom to have urged the passage of the "home rule" bill by the senate. Indeed so favorable had the sentiment grown in favor of statehood for Utah, that Mr. Henry M. Teller, United States senator from

20. The measure was introduced into the house by Honorable John T. Caine, Utah's delegate in congress, on the 7th of January, 1892; and into the senate by Mr. Charles J. Faulkner, United States senator from West Virginia. The bill will be found in full in the *Congressional Record* of March 30th, 1892, and in *Deseret News*, weekly, of July 23rd, pp. 129-131. It consisted of 27 sections.

21. See *Congressional Record* of that date, house proceedings.

Colorado, as a Republican counter movement to the Democratic "home rule" bill, had introduced a bill in the senate for the admission of Utah as a state.²² And before the close of the second session of the 52nd congress, *viz.*, on the 14th of January, 1893, Mr. Caine introduced a bill for an enabling act for the admission of Utah, which bill was reported back to the house ten days later, and placed on the calendar, but it failed of consideration in that congress. Mr. Caine had also prevailed upon United States Senator Faulkner, of West Virginia, and sponsor in the senate for the "home rule" bill, to introduce a similar bill for statehood in the senate, but that, too, failed of consideration,²³ and securing the passage for an enabling act for the admission of Utah, took the course already described in this chapter.

ELECTION OF 1893—HOPELESS STATUS OF THE LIBERAL PARTY

In the territorial election in November of 1893, at which election members of the legislature were chosen, there were still three parties in the field, Democrats, Republicans and Liberals. In the council of the legislature the Republicans elected five, the Democrats five and the Liberals two; in the lower house the Republicans elected ten members, the Democrats eight, the Liberals six.²⁴ This was the last election in which the Liberal party participated. In addition to the decline in their vote in the territorial election—it shrank in the legislative council districts to 3,420 as compared with 6,986 in their vote for delegate to congress the year before.

22. It was claimed, and by those who were in a position to know, that the Teller bill was hurriedly introduced merely as a Republican party offset to Democratic party action favorable to Utah. The Teller bill contained "no provision in the nature of an ordinary enabling act," and was not intended to go beyond its mere introduction. (*Plain Talk*, by C. W. Penrose, issued in campaign of 1894).

23. See *Latter-day Saints Biographical Encyclopedia*, art, John T. Caine, pp. 726-737.

24. The Democratic plurality in the territory was 1,910 votes, according to the *Utah Commission Report* of this election: "The Democratic vote is 1,510 less than the combined vote of the Republicans and Liberals; the Republican vote is 5,330 less than the combined Democrats and Liberals; and the Liberal vote is 26,642 less than that of the Democrats and Republicans combined, or about ten per cent of the total vote, 33,482." (*Deseret News*, weekly, of Nov. 25th, 1893, p. 713).

They also lost political control of Salt Lake City in this election, as stated in the preceding chapter. It was evidently time to disband a party so helpless, and accordingly, immediately following the election of 1893, the *Salt Lake Tribune* counseled the party to disband; later, *viz.*, on the 18th of December, 1893, the party at a formal meeting disbanded by resolution, sustained by speeches eulogistic of the party's achievements.²⁵

"We believe it would have been better if this decision had been reached sooner," said the *Deseret News*, commenting on this *Tribune* recommendation.²⁶

UTAH READY FOR STATEHOOD—GOVERNOR WEST'S REPORT, 1893

Governor West in his annual report to the secretary of the interior, for the year 1893—bearing date of October 2nd—also radically changed the tone of his report from that of previous reports, and especially in the matter of his recommendations. Of Utah the territory, he said:

"We now have a population of about 240,000. An assessed taxable valuation of \$109,000,000. It is scarcely necessary to dilate upon or go into particulars as to Utah's population, wealth, stability, and material development entitling her to statehood. * * * Our improvements, both public and private, are upon a liberal and generous scale, commensurate with our wealth and ability.

Educational and school advantages are good and constantly being improved. We have an enlightened, well ordered, strong, self-sustaining community, enjoying all the advantages and comforts of modern cultivation and civilization."

Following this the governor urges a view that is of great value in considering the tribulations through which Utah had by slow and painful steps made her way towards the prize of her high calling as one of the American states, *viz.*:

"I know of no people who, in their preparation for statehood, have been confronted with as delicate and grave questions and as radical

25. *Salt Lake Tribune*, Nov. 10th, 1893.

26. *Deseret News*, weekly, Nov. 18th, 1893.

differences, requiring the cultivation and exercise of the highest public qualities, yet the responsibility has been met with patience and forbearance, and our people, after years of earnest effort, have peacefully solved their difficulties and satisfactorily settled their differences. The salutary lessons inculcated in the school of actual experience have admirably trained and fitted them for the duties and responsibilities of a state government."

RESTORATION OF ESCHEATED PROPERTY URGED

The governor also recommended "the repeal of the provisions of the law of March 3rd, 1887 [the Edmunds-Tucker law] escheating the property of the Church of Jesus Christ of Latter-day Saints;" and favored a congressional enactment restoring the property to the church. "There is left," said he, "neither reason nor excuse, in my judgment, for taking from the Mormon church and people their property, and it ought to be restored to them." "The Mormon people," he continued, "while undergoing the many hardships and deprivations of the pioneer frontier life through many years, by their voluntary subscriptions created this fund, and when it is beyond all question that it will be devoted to no unlawful purpose, but to commendable and charitable uses, it ought to be returned to them. Such fair and just action by congress would give great satisfaction to the people of the territory, and encourage and strengthen the constantly growing sentiment of cordiality and good feeling among the people." "I earnestly urge that congress be recommended to promptly pass the desired relief, *because 'he gives twice who gives quickly'.*" Such the closing sentence of the governor on this head of his report. Why the return of the "escheated" property, which is only a legal term describing the act of *confiscation*—should be treated as a "gift" to the "Mormon" people, is a little difficult to understand; but the governor meant well, and perhaps he thought the common-stock phrase of preachers might have its effect on congress!²⁷

27. A good summary of report will be found in *Deseret News*, weekly, of Nov. 25th, 1893.

AS DEMOCRATS AND REPUBLICANS IN UTAH—1894

In the election of 1894 the people for the first time were to meet each other aligned solely on national party lines in Utah. Mr. Joseph L. Rawlins was the Democratic, and Mr. Frank J. Cannon the Republican candidate for delegate to congress. It was at this election also that delegates were to be chosen for the constitutional convention. The tariff and "hard times," the latter alleged to be the result of Democratic victory of two years before, were the issues between the parties, and the Republicans won a very notable victory throughout the nation; also in Utah. Mr. Frank J. Cannon was elected delegate to congress by a majority of 1,819;²⁸ and the Republicans elected sixty out of the one hundred and seven delegates required by the enabling act for the constitutional convention, a clear majority of thirteen. While the tariff and "hard times" were issues in Utah, as elsewhere throughout the nation, and were ably discussed, unfortunately there was injected into the campaign the question as to which of the national parties had befriended Utah most in her recent struggle for statehood, and to which party was her people most bound in gratitude. This gave rise to a very bitter local controversy in which prominent members of the church participated against each other as partisans with a zeal that carried them beyond the limits of what calm reason would dictate; and the literature of the campaign, both in editorials and in special articles in the newspapers current, as in the dodgers, leaflets, and pamphlets, representing attack and defense, reply and rejoinder, ran the whole gamut of intense debate.²⁹

28. "There was a Populistic candidate in the field, Mr. H. L. Gaut, who received 555 votes. Mr. Cannon received 21,326. Mr. Rawlins, 19,505; Mr. Cannon's plurality was 1,821." (*New York World Almanac* election returns for 1895).

29. Certain questions put to the Republican candidate by a leading Democrat brought forth answers in personal cards from Mr. F. J. Cannon, and also from six gentlemen and Mr. Cannon who were the board of control of a corporation known as the "Utah Company," capitalized at \$10,000,000. It was alleged, that the company was attacked by the questions submitted. The questions will be found in the *Salt Lake Herald*, Oct. 17th, 1894; and the cards in the *Deseret News* and *Salt Lake Tribune* of the 29th and 30th of Oct. respectively; also rejoinder by Judge Powers

There was also an aftermath to this campaign in the form of a newspaper attack upon President George Q. Cannon and his alleged business and political methods. It was charged that he had entered into certain agreements and understandings with politicians of national reputation and standing, by which Utah was made a Republican state with trust-favoring senators assured; and in consideration of which certain large corporations and other business ventures in which Mr. Cannon—and, as alleged, the church through certain of its high officials were interested—were to be financed by eastern trusts. The charges alleging all this appeared in a seven-columned article in the *New York Times* of Feb. 13th, 1895, and was copied into the *Salt Lake Herald and Tribune*. The article created a national sensation and was widely commented upon. Mr. Cannon denied these charges and discussed them at length.³⁰

CHURCH AUTHORITIES AND POLITICS

The intensity of feeling attending upon the discussions during the campaign brought out a communication signed by President Woodruff which is an official document upon a question of great importance. On the 23rd of September, 1894, at a stake quarterly conference at Provo, the president made some remarks respecting the rights of the priesthood in giving counsel and direction to the membership of the church, which was sympathetically reported in the *Salt Lake Tribune* as follows:

“It is generally thought the first presidency should have nothing to say about politics. I picked up a paper this morning saying that we had no business to meddle in politics. We have a right to lead the people in spiritual and temporal affairs. We have the same rights of

was published in the *Salt Lake Herald* of Oct. 31st, also in leaflet, *Powers' Answer*, in which he disclaims any attack upon the first presidency of the church, and points out that his questions had to do with F. J. Cannon, and certain undenied reports given out at Washington, D. C. about the time of the passage of the statehood bill, which from his standpoint justified the questions. Neither the *News* nor the *Tribune* would publish Powers' rejoinder. (See statement of Powers at Lehi, *Salt Lake Herald* of Oct. 31st).

30. Copy of his reply will be found in *Deseret News*, weekly, March 2nd, 1895.

leadership that President Young had and that the Prophet Joseph Smith had. In temporal affairs? Yes. In political affairs? Yes. We have a right to advise both Democrats and Republicans to lead a pure campaign. We have a right to say to the people that they must be pure in politics as well as in temporal affairs. We have thousands of children growing to manhood in Zion. I am interested in their welfare, and I would like to see them brought up under proper influences and not under the influence of such a campaign as we had two years ago."

A letter from the Tribune Publishing Co., then conducting the *Daily Salt Lake Tribune*, bearing date of Sept. 24th, submitted to President Woodruff—having in mind, of course, the formal declaration of the presidency in the Salt Lake "Times Interview," and other official statements considered—the following questions:

THE TRIBUNE'S QUESTIONS

"The purpose of this inquiry is to ascertain with exactness:

First, whether your remarks were precisely as reported, and, if not, wherein they depart from precision.

Second, if the remarks were as reported, then in what sense do you wish them to be understood: whether as a claim to control the political actions of your people absolutely, or only as a citizen to advise the right.

Third, the claim is apparently made in your remarks that the church authorities claim the right to direct the people in their business and politics, and, in general, their temporal affairs, as well as spiritual. It is desirable to know whether this claim is really made and insisted upon at this time, and is to be in the future, while the public has been led to believe that claim a thing of the past.

Most respectfully,

[Signed] "TRIBUNE PUBLISHING CO."

PRESIDENT WOODRUFF'S ANSWER

In his answer President Woodruff said that his remarks as published by the *Tribune* were "substantially correct." Answering the second and third questions he said:

"The control of the political actions of our people absolutely is not set up as a claim in my remarks, and I certainly would not wish them to be so understood. I hold that it is the right of the priesthood to advise at any and all times and under any circumstances those who profess to respect its powers, in all matters pertaining to their temporal welfare and their spiritual salvation; if in the matter of politics, that the Latter-day Saints should be governed by pure principles, and in political affairs should realize and act upon their responsi-

bilities as saints and citizens. This is not to claim the right to advise them how or for whom they should vote, or which party they should join. We emphatically and sincerely approved the division of the 'Mormon' people on party lines, and we recognize every man's agency and respect his right to choose in these matters for himself. We have not advised, and do not advise our people how they shall vote; the elections that have been held in this territory since politics on national party lines were introduced, are proof of this policy; we have asked no Republican to vote the Democratic ticket, and no Democrat to vote the Republican ticket; we have never advised men to vote other than their convictions prompted them, and have no intention of giving such advice. At the same time, we claim the right, both as individuals and as leaders of the church, to counsel our people to keep aloof from the corruption, the scandal, and the filth of politics as too frequently practiced in the world, to set an example in this as in other things, and it is in this sense that I wish to be understood as asserting the right of the priesthood to give counsel in political affairs. As citizens we have the right of opinion and of speech; we also have responsibilities and duties to ourselves and to others; but until the foregoing can be construed as meddling in politics, I shall be unable to find ground for the uneasiness of which you speak. However, in the light of this statement of my meaning and views, I trust there can be no further cause of anxiety or unrest; I assure you there is no foundation for it.

[Signed] "WILFORD WOODRUFF."³¹

The *Tribune* editorially accepted as satisfactory President Woodruff's answer, saying:

"The reply is not a retraction of any powers professed by the church, but it does declare that no member of the priesthood would think of advising any Mormon to vote any ticket, only claiming the right, both as a man and a priest, to watch over the morals of the people and as far as possible to shield them from all that may be debasing or immoral in politics."

The *Salt Lake Herald* also expressed its satisfaction:

"In this connection we wish to say that rational people will not object to the introduction of politics into the pulpit, in the sense mentioned by the Mormon president. It is only when the power of ecclesiastics is used as partisans, to unduly influence church members in favor of a party or a candidate that a protest is made."

A DISAPPOINTING ELECTION

It had been quite generally expected that Utah in this 1894 election would go Democratic. Rawlins' plurality

31. The whole correspondence will be found in *Deseret News*, weekly, of Sept. 29th, 1894, p. 458, with editorial comment, *Ibid*.

in the previous delegate election—1892—had been 2,811, or 15,202 as against 12,390 for Cannon. This left 6,986 who voted the Liberal ticket out of the total vote of 34,577. Had this Liberal vote broken anywhere nearly even, in 1894, the Democrats should still have had a majority. But evidently the remnant of the Liberal party from 1892 was largely Republican, and when it disbanded its members joined the Republican ranks and made that party's victory of 1894 possible. Notwithstanding this unequal break of the Liberal party remnant, however, there were other considerations which to many still justified the expectation that Utah would go Democratic—*viz*: It had been a Democratic congress—the 53rd—and executive, which restored nearly half a million dollars of the personal property to the church; the enabling act for Utah's statehood had been introduced by a Democratic delegate from Utah; it was passed by a Democratic house and a Democratic senate;³² it had been approved by a Democratic president, and if Utah was to be admitted under the enabling act after her Constitution was formed, it would be by the proclamation of a Democratic president. In addition to these considerations it had been the declared policy of the Republican party to destroy the plural marriage system sanctioned by the Church of the Latter-day Saints, and pursuit of that purpose had led to the enactment of all legislation inimical to the "Mormon" citizens of Utah. Very naturally the tendency of this course on the part of the national Republican party was to incline the members of the church to the Democratic party, which, while it never sympathized with the Latter-day Saint religious institution under censure, it was not responsible for the open warfare made upon it, and some leading members of that party in congress did urge

32. The senate during the first session of the 53rd congress stood 44 Democrats, 38 Republicans; 3 Populists; and 3 vacancies. In the 2nd session the number of Democrats remained the same; the Republicans lost two, and the Populists gained two. The vacancies remained the same. (See *New York World Almanac*, compilation of senate statistics, 1894, p. 363; and 1895, p. 373). The house of the 53rd congress was heavily Democratic, *viz.*, 219 Democrats; 127 Republicans; Populists, 10. (*New York World Almanac*, 1894, p. 368).

constitutional objections to some of the extreme features of the Republican legislation. Indeed it was so generally believed that "Mormon" sentiment was so far Democratic that when division on national party lines began to take place the fear was entertained by some that the "Mormons" would go over bodily to the Democratic party and that the result would be practically, that the "Mormons" would largely constitute the Democratic party and the "Gentiles" the Republican party; that there would be no change of parties, really, but only a change of names. This was the cause of much anxiety on the part of some leading churchmen, following the division on national party lines, and they urged that those members of the church who had at least no sharp-drawn convictions to the political issues between the national parties to be not in too great haste to commit themselves to party affiliation; and some, undoubtedly, were persuaded by the force of such suggestions to cast their lot with the Republican party, without regard to their convictions one way or the other.

Under the caption "Don't Be In A Hurry," the *Deseret News*, in harmony with what is said above, published a strong editorial on the subject.³³

STATEHOOD ASSURED NOTWITHSTANDING DISAPPOINTING ELECTION

It was feared in some quarters that the result of the election of 1894 in Utah might be so disappointing to the Democratic congress and the administration that it would endanger statehood; for having yet the second term of the 53rd congress to complete, and five months of a Democratic administration, pretexts for undoing what had been done, and holding up Utah's statehood would not have been difficult, and was at least a possibility. Accordingly a number of influential Utah Democrats, including John T. Caine, former delegate to congress, Governor West and others, went to Washington to inquire as to the likelihood of unfriendly

33. *Deseret News*, weekly, of June 13th, 1891, p. 782.

action by the Democrats. They reported the feeling among Democrats at Washington to be that "while as Democrats, they were disappointed at the result of the late election in Utah, they declared that the territory had all the qualifications for statehood and was entitled to admission into the Union irrespective of politics, and it was the avowed policy of the Democratic party that the territory should be admitted before the close of that session."³⁴

34. Caine's Biography, *Latter-day Saints Biographical Encyclopedia*, p. 737

CHAPTER CLXXIV

UTAH'S CONSTITUTIONAL CONVENTION—STATEHOOD—FIRST STATE ELECTION

UNDER the enabling act the Utah constitutional convention convened on the first Monday in March—the 4th—1895. Sixty of the one hundred and seven delegates were Republicans; forty-seven Democrats; and as the former had a working majority they proceeded with the organization of the convention under the caucus arrangements entered into previous to the meeting of the convention. Mr. John Henry Smith—son of George A. Smith—who was a cousin of Joseph Smith, the Prophet, and prominent in early Utah history—was made president of the convention, and the organization throughout was, of course, Republican. The convention in all ran through sixty-six days, its closing session being held on the 8th day of May, 1895.

GENERAL CHARACTER OF UTAH'S CONSTITUTION

The Constitution, of course, followed in general outline the Constitutions of other states of the American Union, differing chiefly in that it accorded to women equal suffrage with men. By the express terms of the enabling act the convention was required on behalf of the people of the proposed state to adopt the Constitution of the United States; to make the proposed Constitution Republican in form; to make no distinction in civil or political rights on account of race or color—except as to Indians not taxed; it was not to be repugnant to the Constitution of the United States and the principles of the Declaration of Independence; also the convention was required to provide by ordinance, irrevocable, without the consent of the United States, and the people of said state—

“That perfect toleration of religious sentiment shall be secured, and that no inhabitant of said state shall ever be molested in person

or property on account of his or her mode of religious worship. *Provided that polygamous or plural marriages are forever prohibited.*"

SETTLEMENT OF THE POLYGAMY QUESTION BY THE CONSTITUTION

All these things the convention did. In the last item, which of course was of special interest, the convention, in order to be sure of compliance with this named condition, adopted the exact language of the enabling act. This early in the convention's history—the seventeenth day—placing it in the bill of rights. Later Mr. Varian, of Salt Lake City, a non-"Mormon," and a lawyer of high standing, introduced an additional article on the subject, tending as he claimed to give further expression of good faith to the country on this subject, by the people of Utah. The object of this second article was to define polygamy and provide for its punishment in the Constitution, and not leave it for the legislature to give effect to the constitutional declaration that "polygamous or plural marriages are forever prohibited." The status of the law upon the subject was that there was in effect, so long as the territorial condition remained, the congressional law against both polygamy and polygamous living, or unlawful cohabitation. As soon, however, as Utah became a state these congressional laws—it was quite generally held by the lawyers in the convention—would cease to exist, and from Mr. Varian's point of view there would remain nothing against the practice of polygamy but the constitutional declaration that it should "forever be prohibited." But this provision, as Mr. Varian pointed out, was not "self-executing," and might or might not be made effective by action of the state legislature. He urged, therefore, that to leave the matter in this status might be regarded by those who would pass upon the work of the convention—the administration at Washington—as failing to comply with the spirit of the enabling act. The territorial legislature in 1892 had passed an enactment, which the governor had approved, defining in terms polygamy, unlawful cohabitation, adultery, incest, fornication, and providing penalties for the

same; and this in practically the same terms as were used in the congressional enactments upon these same subjects. For the reason, however, that the territorial legislature had only paralleled the laws of congress, thus entering the sphere already occupied by the superior legislative authority, it was quite generally held that the territorial act was of no effect—was void; as a practical law it had no existence, and therefore would not and could not be brought over into the state as a law by the clause in the schedule of the Constitution which provided that “all laws of the territory now in force, not repugnant to this Constitution, shall remain in force until they expire by their own limitation, or are altered or repealed by the legislature.” Under these conditions, then, Mr. Varian moved the insertion in the schedule of the Constitution (Article xxiv) the following:

“The act of the governor and legislative assembly of the territory of Utah, entitled ‘an act to punish polygamy and other kindred offenses, approved February 4th, A. D., 1892,’ *in so far as the same defines and imposes penalties for polygamy*, is hereby declared to be in force in the State of Utah.”

This, it will be observed, was cutting the territorial enactment in two, adopting so much of it as defined and punished polygamy,—i. e. the act of marrying polygamously—but leaving out, and advisedly, the part which related to polygamous living, or unlawful cohabitation. The congressional law, which in its terms the territorial law, and hence the Varian article, followed—defined “polygamy” as follows: “As any person having a husband or wife living who marries another, and any man who simultaneously or on the same day marries more than one woman.” The penalty was a fine of not more than five hundred dollars and by imprisonment for a term of not more than five years. The Varian amendment to the schedule article given above was adopted by a vote of seventy-two in favor of it, and sixteen against it; sixteen absent, and twelve paired.¹

1. See *Proceedings of Constitutional Convention*, vol. ii, pp. 1736-1749.

EFFECT OF THE VARIAN CLAUSE

The clear, unstrained effect of this act of the constitutional convention, in the settlement of this long-continued and vexed question, was to provide against future polygamous marriages and leave undisturbed the relationships that had been formed in the past under the sanctions of the Church of the Latter-day Saints. And that also, and only that, was the clear and unstrained meaning of the requirement of the enabling act, viz: "*that polygamous or plural marriages are forever prohibited.*" That the effect of cutting in two the act of the governor and legislative assembly of the territory of Utah, and making that part which defines and imposes penalties for polygamy a part of the Constitution, while failing to incorporate the second division, relating to unlawful cohabitation, would have the effect by implication, and intent of the convention, to repeal the second part of it, even if it had been a valid law, all which was admitted in the debate on Mr. Varian's proposition. The territorial law was thus cut in two, was very generally held by the lawyers of the convention to be not valid; and therefore left the second division of the territorial law where the whole law always had been in the opinion of the foremost lawyers of the territory, ineffective, and void from the beginning.

This then, was the settlement of the polygamy question by the constitutional convention:—the fountain of the supposed evil—polygamous marriages—was to be dried up; the streams that had their origin from that fountain, in the past, to run their course until lost on death's plains.

THE REENACTMENT OF THE TERRITORIAL LAW ON POLYGAMOUS LIVING

Unfortunately, however, that settlement of the matter, so eminently just, and satisfactory to all concerned—for there was no protest made against it from any quar-

ter—was not permitted to remain undisturbed. A code commission was appointed to compile the laws of Utah in 1896.² They included in their compilation this invalid territorial law respecting polygamy and polygamous living, and as this compilation of law was presented to the legislature and passed as a bill, it saddled upon the state the part of the law which the constitutional convention did not consider necessary to incorporate in the Constitution in order to comply with the demands made upon Utah as a condition precedent to admission as a state, and certainly was not demanded by the people of the state. It is not putting the matter too strongly to say that its admission into the compilation of the laws was unnecessary to the settlement of the vexed question. But notwithstanding this reenactment of the old, void territorial law, the constitutional convention's settlement of the polygamy question, as set forth above, has been the one accepted and acted upon in the state of Utah, and despite some slight variations from the rule, the constitutional convention's adjustment of the polygamy question became the settled public policy of the state of Utah. The melancholy finality contemplated in that settlement was not remote and is practically an accomplished fact now—the elimination by death of that generation of men and women who were involved in the system of plural marriage under the sanctions of the Church of the Latter-day Saints. There are but few of them left now—1930—“*and time is on the wing!*” Indeed such families are practically extinct.

EFFORT TO RETURN TO THE CONVENTION SETTLEMENT

In 1901 an effort was made to nullify the effect of admitting into the code this void law of territorial days by

2. The appointment of the code commission was authorized by the first state legislature. (See chapter lxxxv of the *Laws of Utah*, 1896). It made its report November 7th, 1897, and the code was published and operative from January 1st, 1898. R. W. Young, Grant H. Smith, and Wm. A. Lee constituted the commission. (See Preface to the code, 1898).

the passage of an amendment to section 461 of the revised statutes of Utah, 1898, providing—that “no prosecution for unlawful cohabitation shall be commenced except on complaint of the wife or alleged plural wife of the accused; but this proviso shall not apply to prosecutions under section 4208, defining and punishing polygamous marriages.” This amendment passed the state senate March 8th, 1901, by a vote of 11 to 7; and the house a few days later by a vote of 25 to 17. This act awakened some opposition throughout the country and Governor Wells professing the fear that it would lead to widespread agitation vetoed the bill on the 14th of March, saying, however, in his veto message:

“The broadminded and intelligent everywhere accept the situation here as it exists, and are content to let time complete the solution of the problem. Even the bigoted and the meddlesome have to admit that with some exceptions the conduct and integrity of the people are above reproach. * * * While it may be urged that in any event only the few could be made to suffer, is it not an odious thought, repulsive to every good citizen, of whatsoever creed or party, that the whole state should thus be put under a ban? Surely there is none so selfish and unpatriotic as to argue that this is preferable to the endurance of a few isolated instances of prosecution—unbacked as they are by either respectable moral support or sympathy.”³

President Joseph F. Smith in his testimony before the senate committee in the Smoot case stated in effect that he had not been prosecuted for unlawful cohabitation by the officers of the state of Utah, because of their respect for him;⁴ and later stated that “not only public opinion” but the Constitution of the state of Utah—having in mind doubtless the constitutional convention settlement of the polygamy question, and “the general conditions that exist in Utah”—justified him in living with his polygamous wives.⁵ Against this protest was made by a meeting of 187 men and one

3. The governor's message will be found in the *Salt Lake Herald*, of March 15th, 1901; also in proceedings in the *Smoot Case* before United States senate, vol. i, pp. 582-3.

4. *Ibid*, p. 334.

5. *Ibid*, p. 485.

woman, held in Salt Lake City. A Protest and a Memorial was drawn up and sent to congress and to the senate committee on privileges and elections denying that they were condoners of the crime of polygamous living, they protested against its continuance "and demand that this law breaking be given up in all its forms."⁶ This action represented no general movement or state of feeling, and the fact remains that such tolleration did and does exist, as is made plain by testimony before the senate committee in the Smoot case, and from conditions in Utah that are matters of common knowledge. For evidence from the testimony in the Smoot case in addition to President Smith's testimony, that of E. B. Critchlow, and of Judge O. W. Powers,⁷ the judge said:

"Those men [i. e. old members of the Liberal party] have felt, and still feel, that if this matter is to die out and pass away, they will not interfere with them [i. e. with Mormons living polygamously]. * * * We have not known what was best to do. It has been discussed, and people would say that such and such a man ought to be prosecuted. Then they would consider whether anything would be gained; whether we would not delay instead of hasten the time that we hope to live to see; whether the institution would not flourish by reason of what they would term persecution. And so, notwithstanding a protest has been sent down here to you, [at Washington] I will say to you *the people have acquiesced in the condition that exists.*"

"Mr. Van Cott, an attorney: You mean Gentiles?

The Witness: Yes, the Gentiles."

FIRST ELECTION UNDER STATEHOOD

In the Utah election of 1895, when there was chosen the first full set of state officers,—a congressman, and the legislature that would later elect the first United States senators from Utah—the Republicans were successful. They elected every officer, state and national by pluralities ranging from 897 to 2,314. Heber M. Wells, son of Daniel H. Wells, so prominent in the early history of the church in Illinois and in Utah territory, was elected governor. Mr. C. E. Allen, a non-"Mormon," was elected to congress; the leg-

6. For the Memorial see *Salt Lake Herald* of March 15th, 1904.

7. *Ibid.* vol. i, pp. 618-625.

islature, under agreement in the Republican caucus, elected F. J. Cannon, son of George Q. Cannon, and a "Mormon," and Mr. Arthur Brown, a non-"Mormon" lawyer, of prominence, as senators.⁸

THE CHARGE OF CHURCH INFLUENCE MADE

In this 1895 campaign and election, as in the preceding one, the charge of ecclesiastical interference on the side favorable to Republican interests was freely made, and largely diverted the discussion of the campaign from national questions to local ones. Also for a time threatened to endanger the harmonious working of all the people of the state for the admission of Utah into the Union. The issue arose in this manner:

Running on the Democratic ticket for the place of United States senator and representative in congress, respectively, were two of the general officers of the Church of the Latter-day Saints, Moses Thatcher, of the quorum of the apostles, and B. H. Roberts of the first council of the seventy. In a special priesthood meeting held at Salt Lake City on the seventh of October, the political canvass then being at its height, Joseph F. Smith of the first presidency of the church, indirectly referred to these Democratic candidates and churchmen as having accepted nominations which, if followed by election, would take them from their official church duties, and this without consultation had or arrangements made for their absence with their ecclesiastical superiors; and in this had failed to show due respect for church authority, and were acting contrary to church rule, as President Smith understood it, and in a manner to discredit the church au-

8. State officers other than those named in the text were: Secretary of State, James T. Hammond; Attorney-general, A. C. Bishop; Auditor, Morgan Richards, Jr.; Treasurer, James Chipman; Supt. Public Instruction, Dr. John R. Park; Judges of the Supreme Court, Chas. S. Zane, Geo. C. Bartch, J. A. Miner. The vote for the Constitution stood 31,305 in favor of it; against it, 7,697. The vote for Governor Wells, Republican, 20,833; Caine, Democrat, 18,519. H. W. Lawrence, Populist, 12,051. For Representative in Congress: Allen, Republican, 20,563; Roberts, Democrat, 19,666. Allen's majority, 897. (*New York World's* election tables 1896—Utah, p. 440).

thority and lower its dignity. Undoubtedly President Smith was right in reproving these brethren for their dereliction of duty in the respect named; for the right he claimed for the church authorities to be consulted under such circumstances, and by men holding such relationship to the organization as did the two candidates criticized, was reasonable. The dereliction of the two brethren undoubtedly arose, however, not through wanton disregard of their superior officers or disrespect for the church, but to the confusion which at the time prevailed in regard to what was to be the attitude of high ecclesiastics of the church respecting political office holding. At first, when statehood was imminent, it was thought best, and so decided, that brethren holding prominent positions in the church should not become candidates for public office;⁹ but afterwards it was seen that this would deprive the state of the services of many very capable men, and especially from among the "Mormon" people, and therefore it was decided to permit church officials to accept political preferment; and under this arrangement the two brethren named had both accepted nominations, and had been elected members of the state's constitutional convention, together with many other high church officials, both Republicans and Democrats—bishops, presidents of stakes and patriarchs. The president of the convention, Mr. John Henry Smith, was one of the twelve apostles of the church.

After the close of the constitutional convention, the election for state officers taking place in the autumn following, and under the apprehension that the last ruling in respect of high churchmen being permitted to accept nomination and election to office warranted such action, as the two brethren

9. Indeed as early as October, 1892, it was decided that it would be best for certain high officers of the church not to actively engage in political campaign speaking, as will be seen from the following excerpt from *President Wilford Woodruff's Journal, Ms.*, "Oct. 4th, (1892): . . . Met with the quorum of the twelve. Partook of the sacrament together. Talked over our political situation and expressed our feelings frankly. The general opinion was for none of the presidency, twelve, or the presidents of seventy to take the stump to make political speeches." Subsequently came the understanding respecting office-holding and political activity mentioned in the text.

ren, Thatcher and Roberts, had taken in accepting nominations for the senate¹⁰ and house respectively, without further consultation had or arrangement made with their ecclesiastical superiors respecting the possible interruption of their official services to the church during a possible tenure of political office.¹¹

THE USE MADE OF THE ECCLESIASTICAL CENSURE OF THE
DEMOCRATIC CANDIDATES

The censure of these brethren was seized upon by the opposing party as indicating that they were out of favor with the church authorities and that their political defeat was desirable.¹² Of course, as was pointed out at the time, whether or not this church rule would become a means of influencing and even controlling elections, and become an instrument of ecclesiastic interference in political affairs, depends wholly upon the integrity of the church authorities. It might be urged, and it was so urged during this controversy, that the church authorities could consent for one of their number to participate in political activities—if on the side they might be supposed to favor—and refuse it on the other, and thus control political results. Or the people of their church might interpret their willingness to excuse one officer from church duties to mean that they favored both his nomination and his election; or withholding consent from another to accept nomination, might be interpreted to mean that they were not only against his nomination but against the party cause for which he desired to stand, and thus bring ecclesiastical influence to bear upon the political affairs of the

10. The Democratic party in Utah favored election of United States senators by direct vote of the people, and in order to approach that method of choosing United States senators as nearly as possible, the party convention of 1895 nominated the men to be elected by the legislature should it be Democratic. Hence Mr. Thatcher went before the people in the campaign as the nominee of his party for United States senator. The other nominee for senator was Joseph L. Rawlins.

11. See statement of the case by Mr. Roberts in the *Salt Lake Tribune* of Oct. 14th, 1895; also *Salt Lake Herald* of same date. The statement is in the form of a signed interview. It will also be found in the *Smoot Case Hearings*, vol. i, pp. 751-760.

12. Testimony in the *Smoot Hearing*, vol. i, pp. 757-8; also pp. 813-816.

state.¹³ If, however, the rule is invoked to protect the efficiency of the church service, and has that only in view, nothing can be more reasonable or more necessary to preserve church efficiency and discipline among its general officers. And this is the purpose for which it was invoked in this year 1895, according to a signed statement by President Wilford Woodruff and *Deseret News* editorial comment. Referring to the meeting at which President Smith censured the brethren, referred to above, President Woodruff said:

PURPOSE OF THE POLITICAL RULE

"There was not, according to my recollection one word said about Democrats or politics. * * * When the Church of Jesus Christ of Latter-day Saints was organized, it was with the holy priesthood in its various orders and quorums. And when a man was appointed to the apostleship, or presidency, or in any office, as a teacher of the people, it placed on him a very grave responsibility; and no man was counted at liberty, from the organization of the church, to engage in any branch of business, politics, or anything else to take him entirely away from his calling, business, duty or responsibility for a length of time, without first counseling with the presidency of the church, or with his quorum, on its propriety, and getting permission to do so. This order has rested upon us all alike. This has been my position for sixty years of my life, and that, too, without interfering with my manhood. And this course does not require a man to give up his position in the Democratic party or in the Republican. Every man has his own free agency. He has the right to withdraw from his quorum, or the church, if he wishes. But while he remains in his quorum, or in the church, we think he should be subject to the same rules that we ourselves are. But that duty does not require any man to withdraw from the Democratic or Republican party, or give up his political principles.

[Signed] "WILFORD WOODRUFF."¹⁴

Later, after the canvass and the election were closed, and in order that there might be a perfect understanding in the matter, and uniformity of sentiment and action, the general authorities of the church¹⁵ formulated in writing and signed

13. See interviews and discussion of these questions in the Salt Lake newspapers current at the time, Oct. and Nov., 1895; collected and published also in the *Smoot Investigation* before the senate committee on privileges and elections, and hence now government documents. (Proceedings in the *Smoot Case*, testimony of Judge O. W. Powers, vol. i, pp. 808-888).

14. *Deseret News*, weekly, of Oct. 19th, 1895, p. 553. The editorial of the *News* referred to is to be found in the same issue and page.

15. *Viz.*, the first presidency, the twelve apostles, the presiding patriarch of the church, the first council of the seventy, and the presiding bishopric.

this rule of the church, usually referred to in both Latter-day Saint and anti-"Mormon" literature as "The Political Manifesto." The rule itself is preceded by a full explanation of the circumstances which called it forth. The salient points in the document, however, are in these excerpts:

THE POLITICAL RULE OF THE CHURCH

To the Officers and Members of the Church of Jesus Christ of Latter-day Saints, in General Conference Assembled

"We unanimously agree to, and promulgate as a rule, that should always be observed in the church and by every leading official thereof, that before accepting any position, political or otherwise, which would interfere with the proper and complete discharge of his ecclesiastical duties, and before accepting a nomination or entering into engagements to perform new duties, said official should apply to the proper authorities and learn from them whether he can, consistently with the obligations already entered into with the church upon assuming his office, take upon himself the added duties and labors and responsibilities of the new position. *To maintain proper discipline and order in the church*, we deem this absolutely necessary; and in asserting this rule, we do not consider that we are infringing in the least degree upon the individual rights of the citizen.

We declare that in making these requirements of ourselves and our brethren in the ministry, we do not in the least desire to dictate to them concerning their duties as American citizens, or to interfere with the affairs of the state; neither do we consider that in the remotest degree we are seeking the union of church and state."¹⁶

This document signed by all the general authorities of the church excepting two of the apostles, was presented to the conference of the church on the 6th of April and sustained by vote as the rule and understanding of the church on the matters of which it treats.¹⁷ The two apostles who did not sign this manifesto were Anthon H. Lund, absent, presiding over the European Mission; and Moses Thatcher, who refused to sign it, on the ground that unless more strictly defined it would lead to ecclesiastical interference with the

16. Minutes of the General Conference of the Church, published in *Deseret News*, weekly, of April 11th, 1896, pp. 532-4. See also *Smoot Case Hearings*, vol. i, p. 168.

17. *Ibid*, pp. 531-2.

political affairs of the state, and nullify previous declarations of the general authorities as to the political independence and freedom of the individual, and the freedom of the state from ecclesiastical dominance.¹⁸

CHURCH ACTION IN THE THATCHER CASE

For failing to join with the general authorities in signing this document, the name of Moses Thatcher was not presented at the April conference, 1896; nor again at the October conference of the same year. Elder Thatcher during this period was in poor health, and therefore no positive action was taken respecting his recalcitrance, except that at the October conference referred to each of his fellow apostles referred to his contumacy, and warned the saints not to be over-sympathetic with him pending a settlement of his case.

Elder Thatcher was finally summoned before the council of the apostles for a settlement of his differences with them and the other general authorities of the church, and not appearing in answer to that summons he was, on the 19th of November, 1896, "severed from the council of the twelve apostles" and "deprived of his apostleship and other offices in the priesthood."¹⁹

Within a year further action was determined upon, going to Mr. Thatcher's standing as a member of the church.

18. See Thatcher's testimony in the *Smoot Case*, vol. i, p. 1037. See also account of the Charges, Findings and Decisions in the Thatcher Trial before the Salt Lake Stake High Council, *Ibid*, pp. 563-573. The case of Moses Thatcher enters very fully into the record of the *Smoot Hearings* before the senate committee on privileges and elections, both in the form of his own testimony, vol. i, pp. 936 to 947; and from pp. 937 to 1036. This last citation is the Calvin Reasoner pamphlet, *The Late Manifesto in Politics—Practical Working of Counsel in Relation to Civil and Religious Liberty in Utah*. It covers 90 pages of the *Smoot Record*. Also "The Thatcher Episode," *Ibid*, pp. 247-286. This is a criticism of Mr. Thatcher's position by Professor N. L. Nelson of the Brigham Young University at Provo, and represents the church side of the controversy.

19. The document in full is published in *Deseret News*, weekly, of Nov. 28th, 1896, p. 742; a number of letters passing between Lorenzo Snow the president of the council, and the deposed apostle, is published in the *News*, of Dec. 5th, 1896, pp. 747-776. A fuller collection of letters and other documents will be found in the Calvin Reasoner pamphlet, in the *Smoot Hearings*, vol. i, pp. 960-967. At p. 967 of this record is the announced decision of the apostles in this case.

Under date of July 30, 1897, three of the apostles made charges of unchristian-like conduct against him, covering largely these same difficulties arising from politics. The charges were investigated by the Salt Lake stake high council, and were sustained. The decision was that in order to "retain his standing and fellowship in the Church of Jesus Christ of Latter-day Saints, Moses Thatcher must publish a statement to the satisfaction and approval of the presidency of this stake of Zion, fully covering the following points, viz:

"That in taking the position that the authorities of the church, by issuing the declaration of principles on April 6, 1896, acted in violation of pledges previously given and contrary to what they had published in the *Deseret News* and given to the *Salt Lake Times*, he was in error and in the dark.

That he now sees there is no conflict between that declaration and their former utterances in reference to political affairs.

That he was mistaken in conveying the idea that the church authorities desired and intended to unite church and state to exercise undue influence in political affairs."

These conditions and others enumerated in the decision, but which are mere details and addenda of the above main propositions, Moses Thatcher accepted by endorsing the decision, saying:

"*Without qualification or mental reservation I accept this decision in full.*"—[Signed] "Moses Thatcher."

This acceptance was accompanied by an explanatory note attached to the decision authorizing the publication of it as a settlement of his acceptance of, and compliance with, the decision of the high council. It was so accepted by the presidency of the stake in which the issue was tried.²⁰

PRESIDENT CLEVELAND'S PROCLAMATION—UTAH A STATE

Returning now to the matter of Utah becoming a state, from which the above items associated with the first state election were a digression, it is only necessary to say that

20. The case is reported at length in the *Deseret News*, daily, of Aug. 14th, 1897; also in *Smoot Case Hearings*, vol. i, pp. 564-573.

President Grover Cleveland signed a proclamation to the effect that the several requirements of the enabling act had been complied with, a Constitution had been drafted and accepted by vote of the people, an election of officers for the state had been held and the results certified, the Constitution and government were Republican in form and not repugnant to the Constitution of the United States and the Declaration of Independence, and therefore by authority vested in him declared that the admission of Utah "*into the Union on an equal footing with the original states is now an accomplished fact.*" The proclamation was signed on Saturday the 4th of January, 1896.²¹ The news of the event was received in Salt Lake City and throughout Utah with great enthusiasm. In Salt Lake City the fact of signing the proclamation was announced by the firing of guns, ringing of bells, blowing of whistles, and general jubilation.

THE INSTALLATION OF THE STATE OFFICERS

Two days later, Monday, January the 6th, the state officers were installed at a great public gathering in the "Mormon" tabernacle, preceded by a procession through the principal thoroughfares. Mr. Charles C. Richards, secretary of the late territory of Utah, acted as master of ceremonies in the absence of Governor West, the last of Utah's territorial governors. The opening prayer, as was most fitting, was prepared by the venerable Pioneer of Utah and president of the Church of the Latter-day Saints, Wilford Woodruff, but owing to his feebleness—he was eighty-nine years of age now—his prayer was read by George Q. Cannon. "I am thankful that I have lived to behold Utah a state government," was his simple journal entry on the day's proceedings. A chorus of a thousand voices sang "The Star Spangled Banner." Territorial ex-delegate to congress, Joseph L. Rawlins,

21. The president's signature was affixed to the proclamation at three minutes past ten a. m., eastern time, or three minutes past eight a. m., standard time in Salt Lake City. (*Deseret News*, editorial account of the signing of the proclamation, weekly, of January 11th, 1896.)

after being greeted by tempestuous applause, read President Cleveland's Proclamation admitting Utah into the Union. After Mr. Rawlins concluded the reading of the proclamation he turned to Heber M. Wells, newly elected governor of the state and said: "And now I have the honor and the pleasure to present you, Heber M. Wells, the first governor of Utah, the pen which was used by the president of the United States, ten minutes before the hour of midnight on the 16th day of July, 1894, signing the bill under which Utah has become a state in the American Union. I present it to you, in order that it may be kept among the archives of the state of Utah."

Acting governor of the territory, Hon. Charles C. Richards, arose and said to the assembly:

"I now surrender to your favored servant [the governor of the state, Heber M. Wells] the executive office, upon his taking the oath prescribed by the Constitution."

The oath was administered by Chief Justice Charles S. Zane. A cannon boomed on the instant from capitol hill, and so as each state official took the oath of office. The great chorus of a thousand voices sang Evan Stephens' new state song—"Utah, We Love Thee." Secretary of State Hammond read the governor's proclamation convening the state legislature at three o'clock p. m. that day—the proclamation had been previously published. The governor delivered his inaugural address devoted chiefly to the history of Utah's struggle for statehood. The chorus and audience united in singing "America," and the gathering was dismissed by a benediction offered by Rev. T. C. Iliff.²²

THE ELECTION OF UNITED STATES SENATORS FROM UTAH

The new state legislature met first in special session on the 6th of January, and adjourned to meet some two weeks later in regular session. The major factor of interest before

22. Proceedings in full will be found in the *Salt Lake Herald and Tribune* of the 7th of January, 1896; also in *Deseret News*, weekly, of Jan. 11th, pp. 113-120.

the legislature was the election of Utah's first United States senators. On this matter there was no little excitement and some intense feelings aroused. It had been and still was a strong desire of the California group of business men and politicians, lately so powerful in national republican politics, that Isaac Trumbo, of their group, and who had recently come to Salt Lake City, ostentatiously made his residence at the Gardo House, a somewhat palatial residence for Salt Lake City, built in his later years, but never occupied, by Brigham Young. Here Mr. Trumbo intensively interested himself both in Utah and in Washington, D. C., in promoting statehood for Utah, with no other intention or reason than becoming a United States senator from the new state. Public understanding, rightfully or not, usually coupled the name and interests of George Q. Cannon with those of Mr. Trumbo, and their names were commonly coupled together as prospective senators to be elected by the Republican legislature of Utah. Frank J. Cannon, however, had been Utah's delegate to congress when the territory had been admitted to statehood (albeit he had little to do in obtaining statehood, since the enabling act had been introduced by Mr. J. L. Rawlins, Mr. Cannon's predecessor, as delegate from Utah; it had been passed by a Democratic congress and signed by a Democratic president, and the state was finally admitted into the Union by proclamation of the same president, without Mr. Cannon so much as shaping the matter by the touch of his hand). However, there exists a political tradition that when territories were admitted as states the territorial delegate in office when the transition is made shall become one of the senators. Frank J. Cannon fell heir, however undeservedly, to this traditional honor, and it was claimed for him by his political friends.²³ Also there had grown up in Utah, with the brighter prospect for statehood, a general understanding that there would be a division of

23. See *Salt Lake Tribune*, current for the period and now become the Republican party organ.

the senatorships as between "Mormons" and non-"Mormons;" hence in this first election it was thought this understanding would prevail, and the Republican candidates were to be so aligned. So indeed were the Democratic candidates who had been nominated by their party conventions—Moses Thatcher, "Mormon;" J. L. Rawlins, non-"Mormon;" the same division obtained as to George Q. Cannon and Mr. Trumbo; and Mr. George Q. Cannon it should be remarked was rated by his friends and advocates as a non-partisan or an independent in politics.

The non-"Mormon" aspirants for a senatorship among the regular Republicans were a Judge C. W. Bennett, a successful lawyer, and gentleman of high standing; Mr. Charles C. Goodwin, the brilliant editor of the *Salt Lake Tribune*, and Mr. Arthur Brown, a practicing attorney of Salt Lake City, and active in politics.

"CHURCH INFLUENCE" IN SENATORIAL ELECTIONS

Violent protest was made against Mr. George Q. Cannon's candidacy, upon the supposition that he would represent the church rather than the state; that if elected, under the circumstances, it would be a manifestation of church influence that would be a reversion to old conditions alleged to have existed in pre-statehood days; it would show that in Utah "the church was again in the saddle," and so the contest was waged among these candidates for weeks, Mr. George Q. Cannon remaining in the contest at least as a receptive candidate—with his friends active, and some of them were influential men of the state—to the very eve of the Republican legislative caucus agreed upon by the party was convened to settle the choice for senators. It was not until then that Mr. Cannon issued a formal "card" through the press to the effect that he was "not a candidate for senator, and could not accept that office." He could not, "in the remotest degree, contribute to division (of the Republican party)," by allowing his name to "appear as a candidate for

United States senator." This "card" was issued under date of January the 14th, the Republican caucus convened the evening of the same day.²⁴ This action simplified matters; the way was cleared for Mr. Frank J. Cannon and when the caucus met on the evening of January the 14th he was chosen by acclamation, and Mr. Arthur Brown won on the first ballot taken by the caucus.²⁵ Later the legislature ratified the action of the caucus and these men became the first senators from the state of Utah.

The United States Constitution divides the senators into three classes, and when senators from new states are chosen they determine by lot which of them should serve in the class of the short term and which in the longer term. In such drawings, which took place in the senate chamber on the 27th of January, 1896, Mr. Cannon drew the longer term, Mr. Brown the short one. The latter term would expire on the 3rd of March, 1897, the former on the 3rd of March, 1899, about one and three years service respectively.

THE STATE UNFORTUNATE IN THE CHOICE OF HER FIRST SENATORS

Neither of these men were near ideal senators according to the standards that obtained in Utah for positions of public trust. True, Mr. Frank J. Cannon must be accorded mental brilliancy above the average men in public life, with facility of speech and writing, and what men call personal magnetism and charm of manners; but in real weight and solidity of character and dependability he was woefully lacking. And above all, as a representative of the Latter-day Saints in the unfortunate religious division respecting the senatorships that for a time prevailed in Utah, he by no means measured up to the standards of that people as was manifested by habitual deportment in Washington while senator, and still more after he failed of reelection. He it was who became the leader

24. *Salt Lake Tribune* of January 15th and *Deseret News*, weekly, of January 18th, 1896.

25. *Salt Lake Tribune*, January 15th, 1896.

of a bitter anti-"Mormon" crusade in the municipal affairs of Salt Lake City, and for a time galvanized into temporary life the old anti-"Mormon" Liberal party, under the name and title of the "American party." Also when this movement collapsed he turned to professional anti-"Mormon" lecturing and publishing as his activity, in which he still abides.²⁶

MR. ARTHUR BROWN

Mr. Arthur Brown no more fittingly represented the better class of non-"Mormon" Republicans in Utah than Mr. Frank J. Cannon met the standards of the Latter-day Saints of Utah. Rev. Thomas C. Iliff, a prominent sectarian mission minister of the Methodist Episcopal church, following the action of the caucus, wrote the *Salt Lake Tribune* in a protest of Mr. Brown's election:

"'As a citizen, and always as a Republican up-to-date, I protest against the selection of Arthur Brown and his kind to represent Utah in the United States senate,' he wrote. While there might be a 'semblance of honor' in supporting the action of the caucus, yet there was 'a principle in ethics and in manhood, too,' that required the caucus action to be set aside. To persist in carrying it through would bring 'disgrace to the state, humiliation to decent people and defeat to the Republican party'."²⁷

The matter was taken up by the sectarian Ministerial Association of Salt Lake City and discussed, but no formal action against Mr. Brown was taken though several of the ministers in published interviews expressed sympathy with the protest of Rev. Iliff.²⁸ The *Salt Lake Tribune*, organ of the Republican party, commenting on the action of the caucus in nominating Mr. Brown, said:

"It was unexpected and will strike the people something in the nature of a trick and bad faith. Mr. Brown deserves nothing from the Republican party. He is not of the stuff that the ideal senator is made; he has none of the qualities that are looked for in the incumbent

26. This, 1930.

27. Iliff's letter is published in *Salt Lake Tribune* of January 19th, 1896.

28. See *Salt Lake Tribune* of January 21st, 1896.

of that high and illustrious position, but many that one would suppose should forbid anyone thinking of him in that connection."²⁹

In the next election Utah went Democratic, including the election of a Democratic legislature, which would elect a senator to succeed Mr. Brown; and as he could have no chance to be reelected to succeed himself, by such a legislature, his short term of a little more than one year closed his senatorial career. Ten years later he was shot to death in a Washington, D. C., hotel, by a discarded mistress.

SUBSEQUENT SENATORIAL ELECTIONS

The contenders for the senatorship before the Democratic legislature elected in 1896, were Joseph L. Rawlins, the former delegate from Utah, who had to his credit the introduction into congress of Utah's enabling act, securing its passage, and acceptance with liberal public land grants for educational purposes in the new state; and had also introduced into the house of representatives—though himself a non-"Mormon"—and secured the passage of a bill which returned to the Latter-day Saint Church its government escheated personal church property amounting to nearly half a million dollars. Also he was a lawyer of recognized ability, of statesmanlike quality of mind and temperament and a man of temperate habits.

Moses Thatcher was by now deposed from the apostolate of the "Mormon" church in consequence of a disagreement with his fellow apostles on the subject of securing from his superiors leave of absence from ecclesiastical functions before accepting election or appointment to any political or business position that would interfere with his ecclesiastical duties. The contest was very close and long drawn out but was finally won by Mr. Rawlins by a vote of thirty-three as against Mr. Thatcher's twenty-nine. Mr. Thatcher is supposed to have lost some prestige in "Mormon" public sentiment owing to his attitude on the "political rule" adopted

29. *Salt Lake Tribune*, editorial, impression of January 15th, 1896.

by his church, that cost him his standing as an apostle, and some attributed his defeat to that circumstance—the desire of the “Mormon” church leaders for his defeat.

THE SENATORIAL FIASCO OF 1899

Utah again went Democratic in the election of 1898 and the Democratic legislature was charged with the responsibility and the duty of choosing a senator to succeed Mr. Frank J. Cannon. Although Mr. Cannon was a Republican in politics and had been previously elected senator as such, he believed himself entitled to reelection, even by a Democratic legislature, for the reason that in the western interest of the free and unlimited coinage of silver at the ratio of sixteen of silver to one of gold, he had with other Republican delegates from Utah and other western states, bolted the national Republican convention of 1896 and formed the free silver wing of the Republican party; and as the free coinage of silver was the chief issue in politics in this contest, Mr. Cannon presented his claims for consideration before the Democratic legislature.

His chief opponent was a Mr. Alfred W. McCune, a wealthy mining man of Utah and the west, though never very closely or intensively identified with Utah life and sentiment. He was not a “Mormon,” though friendly to the church, and as Mr. Rawlins, a non-“Mormon,” was now in the senate from Utah, the not very clearly defined understanding was that a “Mormon” should be elected. Mr. McCune early in the contest secured the support of a majority of the legislature, but could not get the required two-thirds majority necessary to election, nor could his following of a majority be reduced. As the term of the legislature drew near to its close and the prospect loomed large that no choice for senator would be made, Mr. George Q. Cannon, always a receptive candidate for the senate as an independent in politics, was presented as a candidate and his qualifications as an able man, perhaps the ablest and most experienced politician in the state,

were urged before the legislature. This tended, however, but to the greater confusion of matters. As Mr. Cannon was a high church man, a member of the "Mormon" church first presidency, the cry of "Mormon" church influence was again raised in connection with his entrance into the contest, and the term of the legislature expired without the election of a senator.

THE SENATORIAL ELECTION OF 1901

The legislature elected in Utah two years later was Republican and that body elected Thomas Kearns, a wealthy silver mining man closely identified with silver mining interests of Utah; and as the free coinage of silver was still a state and national political issue, of course Mr. Kearns was in favor of free coinage. It was charged, however, that Mr. Kearns, though a non-"Mormon," was elected senator by the favor of the president of the Church of the Latter-day Saints, by then, President Lorenzo Snow. It was a case, it must be confessed, of a very wealthy man devoted to a single interest—"the free coinage of silver"—succeeding, though otherwise unsuited to the office of United States senator.

THE THING TO BE REMEMBERED—UTAH A STATE

The thing to be remembered, however, in closing this chapter, is that "Utah is now a state in the American Union, and upon an equal footing with the other states of that Union." Henceforth her destiny as a state will be in the hands of her own people.

Here also we reach an important epoch in the history of the Church of the Latter-day Saints. Up to the accomplished fact of statehood, in consequence of the Latter-day Saints as a civil community struggling for the right of local self-government, and at times for community existence itself, through the whole territorial period, the affairs of the church have been more or less inextricably associated with the affairs

of the civil government. With statehood an accomplished fact; with the rights of self-government secured to the people; with church and state separated by constitutional provision, and by official declaration of the church many times and in many forms repeated,—the church from now on will have a well-defined and separate existence from political entanglements and struggles, such as have, no doubt, to some extent, hampered her free and full development as an ecclesiastical institution charged with a great mission to be accomplished in two great activities; *viz*: (1) To make proclamation of, and to teach the truths deposited with her by the revelations of God, to every nation, and kindred, and tongue, and people; and (2) to perfect the lives of those who receive the truths she proclaims. It is the mission of the church to make men, leaving the men to make the state—the community.

There will be debris to be cleared away in the immediately ensuing years—lingering wreckage from this past struggle; the formation of habits of speech and of action to conform to the new conditions imposed by this fact of statehood, and the formal separation of church interests from political strifes and struggles, but the complete separation is inevitable, the machinery is all provided for it, the necessity for it is imperative; and the Church of Jesus Christ of Latter-day Saints, for the full and free development of effective service for humanity, in teaching the absolute truth and the fulness thereof, and applying that truth to human life, has need to be free from the hampering contact of petty, political party strifes. Henceforth—from the inauguration of Utah statehood—the Church of Jesus Christ of Latter-day Saints in this matter will be free, and the more glorious for that freedom.

CHAPTER CLXXV

CLOSING EVENTS IN THE LIFE OF PRESIDENT WILFORD WOODRUFF

LITTLE remains to be said of Wilford Woodruff's administration of church affairs. Two things were done, however, beside those already recorded that should be mentioned. These were, first, more definite instructions delivered respecting the temple sealing ordinances. It is to be remembered that in the ordinances of the temple, provision is made for the linking together of families, work that may be done for both the living and the dead. The sons of men now living being sealed and united to their fathers, and they to their fathers, back through the ages, as far as the genealogies may be traced. Under the revelations that shall be had, and under freer and larger communication between the heavens and the earth, the work will go on until there has been accomplished a complete uniting and welding together of all the families of the children of men, and their union effected with the great patriarchal head of the race—this the work in ultimate achievement. It had, however, up to the time here spoken of, April, 1894, been a custom in the church for men after getting the members of their own families, living and dead, sealed and united to themselves, to then have the group adopted into the family of some man whom they loved or admired, or for some reason or other trusted, but not of their own lineage. This custom President Woodruff condemned and delivered to the people the word of the Lord at the aforesaid April conference of the church, saying, with elaborate preparation and explanation—

EVERY MAN TO BE SEALED TO HIS OWN FATHER

“Let every man be adopted to his father. When a man receives the endowments, adopt him to his father, not to Wilford Woodruff,

or any other man outside the lineage of his fathers. This is the will of God to this people."¹

Of course the adoptions referred to could be made only to those who had themselves received the sealing ordinances while living, or if dead had received them by proxy at the hands of those whose right it was to minister in their behalf.

This instruction was gladly received by the church and has been strictly followed since that time in all the ordinance work of the temples.

CHANGE IN THE DAY OF HOLDING THE CHURCH FAST

The second matter referred to was an administrative act and relates to the monthly fast day observed by the church. From the early days of the church in the territory the first Thursday in each month had been set apart as a day of fasting and prayer, the food that each family would have eaten—or its equivalent in money—had not the fast been observed, being given into the hands of the local bishops for the benefit of the poor. Recognizing the changed conditions that had come to the people since that first arrangement was made, many of the saints now being employed in such pursuits, and under such conditions that they could no longer drop their work on a mid-week day to attend to this religious duty, the presidency issued a formal letter of instruction directing that the first Sunday in each month be observed as the fast day, and that such readjustments be made throughout the church as might be necessary to conform to this new plan. Instructions were given also relative to the fast itself:

THE FAST PERIOD AND OFFERING

"In some places the custom has arisen to consider it a fast to omit eating breakfast. This is not in accordance with the views and practice of the past. When fasts were observed in the early days, it was the rule to not partake of food from the previous day until after the meeting in the afternoon of the fast day. In making donations to the poor also

1. See discourse of Wilford Woodruff, delivered at the April general conference of the church, 1894. *Deseret News*, weekly, of April 21st, 1894, pp. 541-4, George Q. Cannon, following also delivered a discourse on the same subject. (*Ibid.* pp. 544-5).

it has been the understanding that the food that would be necessary for the two meals should be donated to the poor, and as much more as those who are liberally inclined, and have the means, may feel disposed to give.”²

THE JUBILEE ANNIVERSARY OF PIONEER DAY

In 1897 occurred the fiftieth, or, according to the Israelitish order of things—and from which the New Dispensation receives some coloring—the “Jubilee anniversary of the arrival of the ‘Mormon’ Pioneers into Salt Lake valley,” and as an “era of good feeling” now prevailed throughout Utah, preparations were made and carried into effect which made the event a very notable occasion, Gentile, Jew, and “Mormon” entering into a generous spirit of emulation to show honor to the life, labor, sacrifices and achievements of the Utah Pioneers. It was on this occasion that the Brigham Young and Pioneer Monument at the head of main street in Salt Lake City was dedicated. The celebration continued through four days, beginning on the 20th of July, on which day President Wilford Woodruff dedicated the Brigham Young and Pioneer Monument.

The monument is of bronze and granite, and was designed by C. E. Dallin, of Boston, a sculptor of national fame, but Utah-born. The monument cost \$25,000, exclusive of the pedestal which is of Utah granite, weighing 120 tons.³

President Woodruff’s prayer was written on this occasion, and read by Bishop Orson F. Whitney. These ceremonies were preceded by an imposing parade of Pioneers, and followed by a reception tendered to them in the great tabernacle; and on which occasion they were each decorated with a gold medal. The medal was of solid gold, with a medallion cast of President Brigham Young in the center; to the left a Pioneer wagon, to the right a locomotive, model

2. *Deseret News*, weekly, of November 14th, 1896. The inauguration of this custom of fasting as an economic measure to provide food for those who were destitute and the possibilities of it have already been considered in chapter xcix this *History*.

3. *Deseret News*, weekly, July 24th, 1897.

of 1897; on the top a beehive and at the bottom a pony express rider. On the reverse side is inscribed the name of the Pioneer to whom the medal is presented, and the dates. The medal was the suggestion of Chairman Spencer Clawson, of the Jubilee Commission. Six hundred and fifty such medals were made and distributed.

It was on this occasion that Judge Charles C. Goodwin, so long the editor of the *Salt Lake Tribune*, and hitherto a bitter anti-"Mormon," read a noted speech on the "Utah Pioneers," which at the time was, and since has been, widely quoted. It is a bit of western American literature of high class, a western classic in English in fact. Its closing paragraphs are accorded a place here:

THE UTAH PIONEERS

"Whatever the future holds in store for Utah, that story of toil and suffering and final triumph [of the Pioneers] should be held as sacred history to every man who honors devotion to duty in men, and self-sacrifice in women.

It should be taught to the children in the schools, and one lesson that should be impressed upon the mind of every child is, that a wrong act on his or her part would be a reproach to the brave men and women who came here in the shadow of despair and by incessant toil and by life-long self-abnegation laid solidly here the foundations of a state.

And out of the granite of these mountains should be hewed an imperishable monument, which should be set up in some conspicuous place, and upon it should be embossed words like these:

'They wore out their lives in toil. They suffered without plaint. From nothing they created a glorified state. Honor and reverence and glory everlasting be theirs'."

On the following three days there were elaborate parades illustrative of western life, of historic and industrial development of Utah and the intermountain west.

ENTRANCE OF THE UTAH PIONEERS INTO SALT LAKE VALLEY CLOSED

On the 21st there was a magnificent parade illustrative of Utah's advancement in fifty years. On the 22nd was the Sunday School children's parade, and in the evening the gor-



BRIGHAM YOUNG AND PIONEER MONUMENT
Dedicated on the Jubilee Anniversary of the entrance of the
Pioneers into Salt Lake valley—1897

geous illuminated parade of "Great Salt Lake, Real and Fanciful." Main street was a mass of moving light, while the electrical decorations were magnificent. The night crowd was considered the greatest ever witnessed in Salt Lake City. The Parade of the Counties was the distinguishing feature of the 23rd. All the counties of Utah were represented by floats, showing their resources. Parading reached its climax on the 24th. That parade included all the features of the four previous ones, besides the Pioneers being in the procession. United States troops and the entire National Guard of Utah completed the line. At 8 p. m. a great display of fireworks on capitol hill brought these features of the grand celebration to a close.

There was a special celebration for the Pioneers in the Salt Lake tabernacle on the 24th of July—Saturday. Memorial services in honor of all deceased Pioneers were held on the following day—Sunday; and with that service the great Jubilee Anniversary of the entrance of the Utah Pioneers into Salt Lake valley ended.

HEAVY BURDENS OF THE AGED PRESIDENT

President Woodruff was now ninety years old—March 1st, 1897. The occasion had been celebrated by an elaborate public demonstration in the tabernacle. Following is his journal account of the event in his own peculiar handwriting:

"March 1st, 1897: This is my 90th birthday, and my wife Emma's 59th anniversary of her birthday. We met some 12,000 people in the big tabernacle who have met to celebrate our birthday, which congregation is composed of all parties, creeds and denominations. I delivered the first address to the assembly followed by G. Q. Cannon, L. Snow and others. I was almost covered up with flowers and roses. At the close of the services myself and wife, Emma, took seats upon elevated chairs and shook hands with the congregation as they passed us, some 8,000 people. Of course our arms ached when we got through, but it was a great day. All the papers published our speeches and likenesses. It is very remarkable how my life has been preserved through so many years, considering what I have passed through in my day and generation."

With the burden of ninety years there had come also

to President Woodruff the burden of financial responsibilities as "trustee-in-trust for the church." With the advent of statehood it was seen that new and much larger opportunities would come for developing Utah's resources, and there would be a general advancement it was hoped and believed along all the lines of material prosperity. In order to secure a full measure of this new hoped for prosperity, arising from the resources of the state and their development—the development of water power, and irrigating projects; the development of mining and milling properties; the projecting, and building of railroads; in manufacturing projects, among which was the production of sugar from the sugar beet—the most successful of all these undertakings—in all these lines and others, measures were taken as was believed by President Woodruff to be for the welfare of the people. But in these undertakings the trustee-in-trust and those associated with him in the administration of the affairs of the church became heavily involved by borrowing capital for these enterprises. "I don't sleep nights," President Woodruff writes in his journal of August 8th, 1894, "and am weary by day. As trustee-in-trust and the presidency of the church we have taken such a load upon us [that] it is difficult for us to carry it." And the next day he says, "There is a heavy load resting upon us in church affairs, our debts are very heavy." Two years later he writes, "The presidency of the church are so overwhelmed in financial matters it seems as though we shall never live to get through with it unless the Lord opens the way in a marvelous manner. It looks as though we shall never pay our debts."⁴ Four months later at a priesthood meeting he represents himself as saying: "I spoke of this financial condition of the church, explained the action of the government officials in starting our debts. I did not want to die until the church and myself as trustee-in-trust are out of debt."⁵

4. *Woodruff's Journal, Ms.*, entry for Dec. 30th, 1896.

5. *Woodruff's Journal, Ms.*, entry of April 7th, 1897.

The frequently expressed desire was not realized. The president's health had been failing for several years. Asthma had seriously troubled him for some time. Occasional visits to the Pacific coast had brought temporary relief, but no permanent benefit. Seeking again such relief, in the autumn of 1898, he went to San Francisco, and on the 2nd of September, 1898, died there at the home of Mr. Isaac Trumbo. The remains were brought to Salt Lake City by a special train, tendered free by the Rio Grande Western Railroad. In making this courteous tender of train service, Mr. F. A. Wadleigh, the general passenger agent of the company said—and it feelingly expressed a very general opinion held in regard to President Woodruff: "In tendering this slight accommodation we express to the church officials our sympathy with them in the great loss to the church and the world at large of one who has so thoroughly commanded the respect and fidelity of those who were fortunate in knowing him."⁶

His burial was attended by processional honors and a public service in the tabernacle, which was crowded by all classes of citizens; for the beautiful simplicity of his life and character endeared President Woodruff to all classes equally. "He possessed the confidence and esteem," remarked the *Deseret News* editorially, "not only of the Latter-day Saints, but of all classes of people who differed with him in faith, but who had become acquainted with his sterling honesty and integrity, simplicity of manners, unostentatious life and faithful adherence to his sincere convictions. He was one of the remarkable figures in the closing scenes of the most remarkable century in the history of the world."⁷

THE LIFE OF WILFORD WOODRUFF

Beyond a brief biographical note it is not necessary to enlarge upon the account of President Woodruff's life as it has been identified with nearly all the principal events in the

6. *Deseret News*, vol. 57, p. 399. The Union Pacific Railroad and the Oregon Short Line officials likewise made a tender of any service they could give.

7. *Ibid.*, impression of Sept. 10th, 1898.

history of the church since he became identified with it in 1834.

The *Deseret News* in announcing the death of the president, gave the following brief biographical sketch:

"Wilford Woodruff was the fourth president of the Church of Jesus Christ of Latter-day Saints. He was born at Farmington (now Avon), Hartford county, Connecticut, March 1, 1807. He was the third son of Aphek and Beulah Thompson Woodruff. From his early youth, and in the midst of a busy life, he meditated on religious subjects. On December 29, 1833, he first heard the gospel from the lips of Elders Zera Pulsipher and Elijah Cheney. To hear the truth was, with him, to believe it, and on January 1, 1834, he received baptism. The following April he went to Kirtland, and became acquainted with Joseph the Prophet."

Since that time his life, travels, and labors and adventures were interwoven with the events of the church history. From his *Journals* he himself near the close of his life made a summary of the miles traveled, letters received and answered, discourses delivered, etc. From this summary we are able to present the following facts; "From the beginning of his ministry in 1834 and to the close of the year 1895, he had traveled 172,369 miles; held 7,655 meetings; preached 3,562 discourses; organized 51 branches of the church, and 77 preaching places. He traveled in England, Scotland, and Wales, and in 23 states and 5 territories in the Union."

Brigham Young, Orson Pratt, Erastus Snow and Wilford Woodruff will stand out as the four greatest Pioneers of the intermountain west and of modern times.

THE PLACE OF PRESIDENT WOODRUFF'S JOURNALS IN THE CHURCH

As historian President Woodruff rendered a most important service to the church. His *Journals* regularly and methodically and neatly kept and strongly bound, extending as they do from 1834 to April 18th, 1897, (with some scattering notes through the remainder of 1897, and the year 1898—when he was in his ninety-second year)—a period of sixty-three years—constitute an original documentary historical treasure which is priceless. The church is indebted

to these *Journals* for a reliable record of discourses and sayings of the Prophet of the New Dispensation—Joseph Smith—which but for him would have been lost forever. The same is true as to the discourses and sayings of Brigham Young, and other leading elders of the church; while for minutes of important council meetings, decisions, judgments, policies, and many official actions of a private nature, without which the writer of history may not be able to get right viewpoints on many things—in all these respects these *Journals* of President Woodruff are invaluable. Other men may found hospitals or temples or schools for the church, or endow special divisions or chairs of learning in them; or they may make consecrations of lands and other property to the church, but in point of important service, and in placing the church under permanent obligations, no one will surpass in excellence and permanence or largeness the service which Wilford Woodruff has given to the Church of Jesus Christ in the New Dispensation, by writing and preserving the beautiful and splendid *Journals* he kept through sixty-three eventful years—so far do the things of mind surpass material things.

The *Journals* are now given a special and permanent place in the Church Historian's Office at Salt Lake City.

CHAPTER CLXXVI

THE ADMINISTRATION OF PRESIDENT LORENZO SNOW—FINANCIAL PROBLEMS—THE LAW OF TITHING

A SHORT time before his death President Woodruff announced to his immediate associates in the administration of church affairs, that "it was not the will of the Lord that in the future there should be a lengthy period elapse between the death of the president of the church and the reorganization of the first presidency.¹ Accordingly, and having this instruction in mind, on the 13th of September, 1898—eleven days after the demise of President Woodruff—Lorenzo Snow, the president of the quorum of the apostles, was chosen president of the church, at a special meeting of the apostles. Present at the meeting, held in Salt Lake City, and participating in the event were the following brethren: Lorenzo Snow, Franklin D. Richards, George Q. Cannon, Joseph F. Smith, Brigham Young, Francis M. Lyman, John H. Smith, George Teasdale, Heber J. Grant, John W. Taylor, Marriner W. Merrill, Anthon H. Lund, Matthias F. Cowley and Abraham O. Woodruff. These comprised all the members of the apostles' quorum and the two counselors of the late president, who, as usual when the counselors have previously been members of the quorum of the twelve, took their places in that quorum, which brought the fourteen apostles present in the order given above. President Snow chose the two counselors of the late president to be his counselors—George Q. Cannon and Joseph F. Smith. Franklin D. Richards, by virtue of seniority of standing in the council of the apostles, became the president of that council. In all that was done the brethren were unanimous.² President Snow

1. Editorial in *Juvenile Instructor*, Nov. 1st, 1901, p. 660.

2. The official announcement of these several actions was made by the secretary of the first presidency and published in *Deseret News*, weekly, of Sept. 17th, 1898, p. 425.

was also chosen trustee-in-trust of the church, and indeed the necessity of having a trustee-in-trust immediately appointed, in view of the unsettled financial affairs of the church, was a factor in hastening the reorganization of the first presidency as well as the announcement of the will of the Lord on the subject by President Woodruff.³

THE ACTION OF THE TWELVE SUSTAINED BY THE CHURCH

The organization thus effected by the apostles in council was sustained by a general assembly of the several quorums of the priesthood at the October conference following, and by unanimous vote of the entire conference, representing the whole church. The one vacancy created in the council of the twelve by the selection of Lorenzo Snow for president, and George Q. Cannon and Joseph F. Smith going in to the council of the first presidency, was filled by the selection of Rudger Clawson, president of Box Elder stake of Zion, and the companion, it will be remembered, of Joseph Standing in the martyrdom of that faithful elder in the state of Georgia, in 1879.⁴

MEETING THE FINANCIAL PROBLEMS—BONDS

President Snow's administration fell heir to the financial perplexities and problems of the one that preceded it. He met the difficulties first by issuing short term bonds to the amount of \$1,000,000, and bearing interest at the rate of 6 *per centum per annum*. And urged that the residents of Utah should purchase them. This was promptly done; all the bonds being sold within the year of issuance.

THE LAW OF TITHING

A number of the financial enterprises undertaken by the

3. *Ibid*, and in connection therewith cf. *Juvenile Instructor*; editorial of Nov. 1st, 1901, p. 660; and also remarks of President Joseph F. Smith at a special conference of the church Nov. 10th, 1901, p. 787. Lorenzo Snow was appointed trustee-in-trust, even before the organization of the first presidency.

4. The following day, Oct. 10th, Elder Clawson was ordained to the apostleship by President Lorenzo Snow. The vote of the conference ratifying the action of the apostles in reorganizing the first presidency took place on the 9th of October. (See Minutes of the Conference in *Deseret News*, weekly, of Oct. 15th, 1898).

previous administration he abandoned, more especially some mining and milling ventures, and railroad enterprises. Concurrently with these movements, President Snow urged upon the church the law of tithing as given in 1838, in Far West, Missouri, requiring the payment of one-tenth of all the interest, or increase annually, of the membership of the church, to supply a revenue for the church to enable it to meet its obligations, and carry on its work. It was through observance of this law, President Snow urged, that Zion was to be redeemed, and it was to be "a standing law unto them (i. e. members of the church) forever."

"Verily I say unto you, it shall come to pass, that all those who gather unto the land of Zion shall be tithed of their surplus properties, and shall observe this law, or they shall not be found worthy to abide among you.

And I say unto you, if my people observe not this law, to keep it holy, and by this law sanctify the land of Zion unto me, that my statutes and my judgments may be kept thereon, that it may be most holy, behold, verily I say unto you, it shall not be a land of Zion unto you;

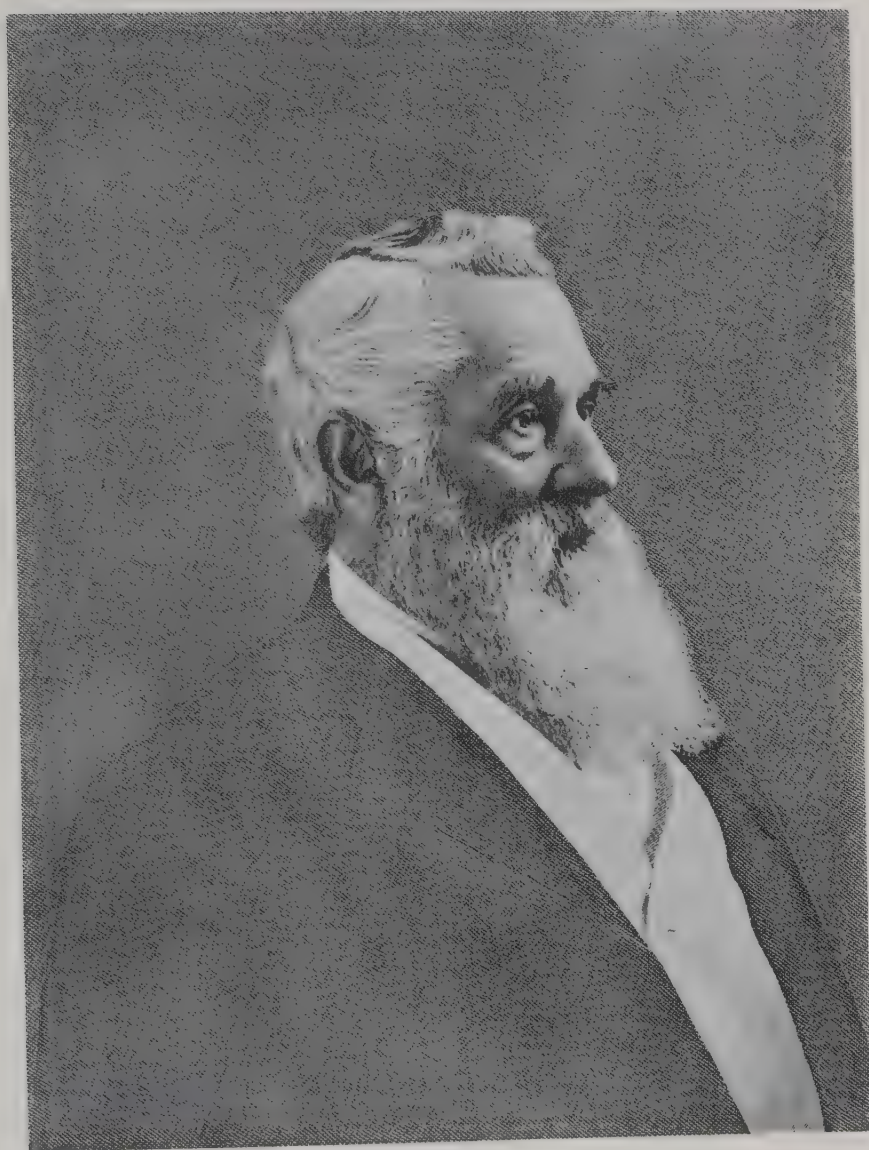
And this shall be an example unto all the stakes of Zion. Even so. Amen."⁵

There had been for some time a great neglect of duty on the part of the saints in respect of this law of tithing, but President Snow, under the inspiration of the Lord, turned to it as the one means—after the abandonment of unwarranted financial schemes in which the church had been launched—for the financial deliverance of the church.

DEVELOPMENT OF THE REFORM

This reform he inaugurated in the spring of 1899, at St. George, while on a preaching tour with a large party accompanying him through southern Utah. As the journey was made northward from St. George, everywhere the subject of tithing was the theme. Arriving in Salt Lake City in the

5. *Doctrine and Covenants*, sec. cxix.



LORENZO SNOW

Fifth president of the Church of Jesus Christ of
Latter-day Saints, 1898-1901

last days of May, the president found the Young Men's and Young Woman's Mutual Improvement Associations of the church engaged in holding their annual conference. This conference the president utilized for getting the subject of tithing before the young people of the church.

At the officers' meeting of the Young Men's Associations, in the afternoon of the 30th of May, President Snow delivered an impressive discourse upon the subject which the young men, and there were representatives from nearly every stake in Zion, by resolution accepted as the word of the Lord to them, which they promised to accept and obey themselves, and would do all in their power to get the whole membership of the church to do likewise.

The event was very impressive and dramatic. The minutes of the conference present it as follows:

At the conclusion of President Snow's address the following resolution was presented [by a member of the general board, written while President Snow was delivering his address]:

"Resolved: That we accept the doctrine of tithing, as now presented by President Snow, as the present word and will of the Lord unto us, and we do accept it with all our hearts; we will ourselves observe it, and we will do all in our power to get the Latter-day Saints to do likewise.

The resolution was unanimously adopted by all present rising to their feet and shouting 'Aye.'

Apostle Francis M. Lyman then arose and said: 'President Snow: I believe this body of men are about as clear upon this law and have about as faithfully met the obligations in regard to tithing as any body of men in the church. It is a splendid thing, brethren, for us to be always in shape to accept the will of the Lord when it comes.'

Visibly affected, the president then arose and said: 'Brethren, the God of our fathers, Abraham, Isaac and Jacob bless you. Every man who is here, who has made this promise, will be saved in the celestial kingdom. God bless you. Amen.'"⁶

Subsequently a great fast meeting and solemn assembly of the priesthood of the church was called in the Salt Lake temple, *viz.*, on the 2nd of July. All the general authorities

6. *Improvement Era*, vol. ii, p. 795.

of the church—twenty-six in number—were present; all of the forty stakes, the number then in existence, 478 wards, and all of the auxiliary organizations were represented. The total number brought together and fasting, was 623. “Just such another gathering,” said the chronicle of the event, “was never before held in the church.”⁷ The subject of tithing was presented to the meeting much as it had been in the conference of the Young Men’s Improvement Associations, and the resolution then passed was accepted by this solemn assembly as the word and will of the Lord, through President Snow to the church; and since those days the law of tithing has been reasonably well observed by the people. President Snow did not live long enough to see the full fruition of this movement he inaugurated, but he did live long enough to see that the church was on the way to its emancipation from the great amount of debt with which it had become burdened during the previous administration, for the reasons already given.

CHURCH RESUMES CONTROL OF THE DESERET NEWS

Another important act of President Snow’s administration was the resumption of the control of the *Deseret News* by the church, on the 1st of January, 1899. In October, 1892, in all its forms—daily, semi-weekly, and weekly—the *News* had been leased to George Q. Cannon Sons, who published it as the “Deseret News Publishing Company, Lessees.” Though going into this private company’s hands the *News* had continued to be “the church organ,” that is to say, it was the *medium* through which the church administration—the first presidency—continued to disseminate the official communications to the church, the only sense in which there has ever been a periodical recognized as a church organ by the church or its authorities.

CHARLES W. PENROSE, EDITOR

In resuming immediate control of the *News* by the

7. *Improvement Era*, vol. ii, p. 800. *Deseret News*, weekly, of Oct. 8th, 1892, pp. 484 and 489.

church, the general business management of it was placed in the hands of Mr. Horace G. Whitney, a successful young business man of Salt Lake City, a descendant of the Whitney family of early church history fame. Under his management the *Deseret News* became financially successful beyond all precedent in its history. At the same time Elder Charles W. Penrose was reinstated as editor in chief. I say reinstated because when the *News* was leased by the Cannon Publishing Company, Elder Penrose retired from the editorship which he had long and uninterruptedly held—twelve years.⁸ Under the second appointment he served seven years; and undoubtedly his editorial ability arising both from natural endowment and ripe experience in journalism, contributed greatly to the permanent success of this greatest periodical published by the church. Here it is fitting that some word should be said of this man's work as a journalist. After being reinstated as editor in chief in 1899, Elder Penrose continued to hold the position until called to preside over the European Mission, in 1906—a period of seven years; which, with the twelve years of previous service added, make up nineteen years of service as editor in chief of the *Deseret News*.

Editorial work is of that impersonal character which practically precludes recognition of the editor's daily contributions to the literature of the period. He is no longer recognized as an individual in his work, his personality is submerged in that of his journal. "He" becomes the "We" of the editorial page. The period of Elder Penrose's editorial service, covers great epochal changes in the history of the church. Through those years he stood constantly on the firing line between the church and the world. Daily he was upon duty in advocacy of the truth for which the church stood—for the divinity of her origin and her mission; the holiness and effectiveness of her rites and ceremonies; the indwelling power of God in her doctrines and institutions;

8. See his valedictory editorial in *Deseret News*, weekly, of Oct. 8th, 1892.

he instructed, warned, and corrected her membership; he kept the daily historical record straight; he defended the church against the assaults of the world, meeting all comers with the force of logic, with the truth of the scriptures. He contended with equal success for the rights of an American community to local self-government, under the Constitution of the United States, and yielded no ground to the opposition who sought to dispossess the citizens of Utah of their political heritage of freedom under the law. Blessed with a keen intuition of the truth of things, and a clear, direct, and forceful literary style, he made the editorial pages of the *Deseret News* pleasing as well as instructive in all the variety of subject matter of which they treated; while the intelligent advocacy of the truth, and the defense of both the faith and the saints, made the *News* through those eventful years a valuable source of intelligent commentary on the developing doctrines of the church, and upon the current events of the period.⁹

CHARGE OF RECURRENCE TO POLYGAMY

During the first year of President Snow's administration occurred a very remarkable arousal of public sentiment against what was called a reversion to polygamy, and polygamous practices in the church in Utah. Early in the summer of 1898—May and June—there appeared a series of articles in *The Kinsman*, a sectarian sheet published in Salt Lake City, under the title "Polygamy and Inspired Lies," making these charges. The articles were written by Theodore Schroeder,¹⁰ a lawyer of leisure, in Salt Lake City. Utah correspondents to eastern papers also made the same charges;¹¹

9. Elder Penrose was made a member of the council of the twelve apostles July 7th, 1904; and was chosen to be second counselor in the first presidency, December 11th, 1911, and advanced to be first counselor in the first presidency, March 10th, 1921. He died at Salt Lake City, May 16th, 1925. President Penrose was a native of Camberwell, London, England, and was born Feb. 4th, 1832.

10. See reply thereto by Charles Ellis, under date of June 10th, 1898, *Deseret News*, weekly, of July 2nd, 1898.

11. See Reverend John T. Nutting to the *Florida Philosopher* under date of August 4th, 1898. He states that "polygamy is practiced with renewed vigor in Utah." (*Deseret News*, weekly, of Aug. 20).

and the question began to be much discussed, together with the charge that the church had resumed political control of the "Mormon" people, and was interfering in the political affairs of the state. The discussion of the subject through the early summer months culminated in Utah in the presbytery of the Presbyterian church of the state in its semi-annual meeting, held in Manti on the 29th of August, formulating and sending broadcast through the country the charges referred to above, which was the beginning of a nation-wide discussion of alleged "Mormon perfidy."

THE ROBERTS' ELECTION CASE

In mid-September the Democratic state convention held in Salt Lake City nominated B. H. Roberts for representative to congress. It was matter of common knowledge, throughout Utah, that Mr. Roberts was involved in the "Mormon" church institution of plural marriage; for he had been forced into exile during the polygamy crusade of 1886-1888, when the segregation policy was in vogue, and had returned to Utah and served a term of imprisonment for the minor violation of the Edmunds law. Notwithstanding this he was elected, without objection, a member of the state constitutional convention in 1894, and at its close, also without objection, or the subject of his marital relations even being raised—became the Democratic party's nominee for congress in the election of 1895, and led all the Democratic candidates in the number of votes cast for Democrats. The candidate for governor, Hon. John T. Caine, was defeated by 2,300; Mr. Roberts by only 897 votes, leading his ticket on an average of about 1,400 votes.

In the canvass of 1898, however, Mr. Roberts' marital relations were made the point of bitter and continuous attack upon him by sectarian ministers and the Republican press, to which, however, he refused to make reply, deeming the constitutional convention settlement of that subject, then so recent and of common knowledge so sufficient that it did not

even require restatement.¹² Notwithstanding the bitterness of this attack upon him on account of being involved in the plural marriage institution of his church, Mr. Roberts was elected by a plurality of 5,665; and one of the peculiar and admitted things about the election is that—and without ulterior motives—his election was due to non-“Mormon” votes.

In explanation of his second canvass and election by the people of Utah, in his second speech upon the floor of the house of representatives, and especially in explanation of his attitude in Utah upon the attack made upon him because of his plural marriage relations—Mr. Roberts said:

“I made no answer, except that about twice or three times at most, I said to the people whom I addressed during the campaign: ‘These charges are made against me, but you know me; you know the conditions that have prevailed here in Utah. You know all about the circumstances. I have been in public life before you for some twenty years. I am not driven to the necessity at this late day of undertaking to defend my moral character. I refer the question to you for an answer. You shall answer these charges.’ And they answered them by a plurality of 5,665 votes for the member from Utah out of a total vote of 67,805.”¹³

It was thought that the decisive victory at the polls in Utah for the Democratic candidate would close the opposition, and that acquiescence in the expressed will of the people of the state would follow. This was not the case. On the contrary a convention of Salt Lake sectarian ministers, twenty-four in number, met on the 6th of December, 1898, formulated and adopted an address making an appeal to the people of the United States to join them in a strong protest to congress against the admission of the member-elect from Utah, on the ground that his election had been in “violation of the covenant made between the Mormon leaders and the government when Utah was admitted to statehood.”¹⁴

12. For the consideration of that settlement see chapter clxxiv this *History*.

13. *Congressional Record*, 24th of January, 1900.

14. The document complete will be found in *Salt Lake Herald* of Dec. 7th, 1898. A reply was written to the Ministerial Association's Address by Elder C. W. Penrose denying the charges made, and showing the deductions and conclusions to be absurd. (See *Deseret News* of Sept. 3rd, 1899).

A denial of these charges was telegraphed to the *New York World* over the signature of President Snow, except as to cases of polygamous living, in relations that had been formed previous to the Manifesto of 1890. President Snow also denied that the church had any interest in the nomination, election, or seating of Mr. Roberts, that all this was a secular affair. "Non-'Mormons'," said President Snow, "participated in his nomination in the regular convention of his party. Non-'Mormons' also aided in his election. Many 'Mormons' not being of his party, voted for his opponent. He was not a church candidate in any sense of the word. The church had no candidate. He was elected as an American citizen by American citizens and the question of religion did not enter into the purely political contest."¹⁵

The church here and in subsequent utterances entirely (as was to be expected) divorced herself from responsibility for the election of the Democratic candidate, and of interest and of sympathy in his contest for his seat in the body to which he had been elected. And Mr. Tayler, of Ohio, was able to say on the floor of the house, commenting on the case—"The Mormon church has left it to us, and not to the Mormon church to say what shall be done with Mr. Roberts. Is the house of representatives to respond in any uncertain tone?"¹⁶

The agitation continued throughout the year between the election and the opening of the congress to which the representative was elected, with the result that when presenting himself to be sworn as a member, a petition with more than 7,000,000 signatures had reached the house of representatives, praying for his exclusion.¹⁷ The petition was formally presented to the house by Mr. Tayler, of Ohio.

The following statement concerning the character of this "monster petition" was made by Mr. Roberts in his first speech upon the floor of the house in his own defense:

15. *New York World*, of Dec. 30th, 1898.

16. *Congressional Globe* for 23rd Jan., 1900.

17. *Congressional Record*, house proceedings, Dec. 4th, 1899.

"One word in relation to the petition of 7,000,000 people that has been rolled up here. I say to the gentleman from Ohio [Mr. Tayler] that it would be exceedingly interesting to know how many of these signatures were collected in the Sunday Schools.

Mr. Fox: Will the gentleman yield to a question?

The Speaker: Does the gentleman yield?

Mr. Roberts of Utah: I decline to yield.¹⁸ It would be interesting to know, furthermore, how many of the signatures are repetitions, because I find this in an official letter of the 'National Anti-Polygamy League,' sent out throughout the country, from which I read—an official letter, signed by the secretary, Grace J. Cutler. The party to whom this letter is addressed is asked to secure the signatures of 2,000 people to the anti-Roberts petition:

'Get the young people to sign, too, and aid you in securing signatures. It is not necessary that only adults have representation on the petition. A few young ladies could in a very short time secure the necessary 2,000 names if you would interest them in this great moral work. *No matter if your friends have signed other Roberts petitions, request them to sign again*, as it is absolutely necessary to have one monster national petition large enough to make the members of congress realize instantly the public demand that Roberts be cast out.'

And yet, having collected such a petition as that, and by such methods, you come here and propose to stop a representative of a sovereign state from taking the oath of office! Do you think that will not establish a precedent that will bring chaos sometime on the floor of this house?"¹⁹

Mr. Robert W. Tayler, of Ohio, when the member from Utah was called to the bar of the house, rose in his place and on his own responsibility charged that the representative-elect from Utah was ineligible to a seat in the house of representatives, that ineligibility being evidenced, as the member from Ohio alleged, by public records, affidavits, and papers. He therefore moved—

"That the question of the *prima facie* right of Brigham H. Roberts to be sworn in as a representative from the state of Utah in the fifty-sixth congress, as well as of his final right to a seat therein as such representative, be referred to a special committee of nine members of the house, to be appointed by the speaker; and until such committee shall report upon, and the house decide such question and right, the said

18. This refusal may seem ungracious on the part of the gentleman from Utah; but he was speaking only by courtesy of the house by unanimous consent, and that but for thirty minutes; and at any moment anyone of the members could cut off the speech by withdrawing his consent for the speaker to continue. Under such circumstances the speaker could not reasonably consent to interruption.

19. *Congressional Record*, house proceedings, Dec. 4th, 1899, p. 48.

Brigham H. Roberts shall not be sworn in or be permitted to occupy a seat in this house; and said committee shall have power to send for persons and papers and examine witnesses on oath in relation to the subject matter of this resolution."²⁰

ACTION OF THE HOUSE ON THE QUESTION OF EXCLUSION

On this action the representative from Utah was not permitted to be sworn in; and the following day, after three hours debate the house voted to appoint the committee and follow the course of action outlined in Mr. Tayler's resolution.²¹ After exhaustive investigation and discussion of the subject through six weeks the matter was finally reported to the house. Seven of the committee reported in favor of excluding the member from Utah, which could be determined by a majority vote of the house; the other two, Mr. C. E. Littlefield of Maine, and Mr. David A. De Armond of Missouri, presented "Views of the Minority" which favored admission of the Utah member—on constitutional grounds—and then expulsion, which would require a two-thirds vote of the house to accomplish. For three days the question was debated, with the result that on a vote being taken 244 voted for exclusion, and 50 against it, 36 not voting.

The question of the right of congress to take such summary and arbitrary action as this, was gravely doubted by many in congress, and by more outside of it; but consideration of the constitutional questions as to the rights of the house to so proceed are too involved to be considered here.²²

20. *Congressional Record*, 56th Congress, house proceedings of Dec. 4th, 1899.

21. The committee consisted of the following gentlemen—Mr. Tayler, Ohio, chairman; Mr. Landis, Indiana; Mr. Morris, Minnesota; Mr. Freer, West Virginia; Mr. Littlefield, Maine; Mr. McPherson, Iowa; Mr. De Armond, Missouri; Mr. Lanham, Texas; Mr. Miers, Indiana. The vote on this question (i. e. of referring this matter to the special committee) was as follows: yeas, 304; nays 31; not voting, 19. (*Congressional Record* for Dec. 5th, 1899, p. 52).

22. See the very able and exhaustive paper prepared by Messrs. Littlefield and De Armond, of the special committee in the Roberts case in the committee's report under the caption "Views of the Minority," *House Report* 85, part 2, 1st Session, 56th Congress, pp. 53-77. Also speeches of Mr. Littlefield, *Congressional Record* of 23rd January, 1900; speech also of De Armond, *Congressional Record* of 25th January, 1900. Together with a great amount of commentary in the press of the country during the months through which the case was before congress—Dec. 4th, 1899 and January, 1900. The arguments and authorities of the committee's report will be found in *Report* 85, pt. i, 56th Congress, 1st Session; and in the

THE FALSE ISSUE IN THE CASE

As to the merits of the case, considered in themselves, the action was based upon a false issue. The case presented by the Ministerial Association of Salt Lake City, on which they made their appeal to "the people of the United States," was that by the election of one so related to the "Mormon" marriage system as was Mr. Roberts, there had been a violation of the "covenant" made between "Mormon" leaders and the government when Utah was admitted to statehood.²³ And therefore to admit Mr. Roberts would be to put the seal of government approval upon this flagrant breach of faith and honor. On the latter phase of the proposition Mr. Roberts himself argued:

"In the name of all that is consistent, I would like to know how the 'Mormon' people could hope to base a revival of the practice of plural marriage—even if they had the disposition to do so—on the fact of the representative from Utah taking and retaining his seat in the house! Does the house of representatives endorse the individual views of all the men it admits to membership? If Socialists should from some congressional district elect a congressman, would his admission to the house say to the world that the American congress indorsed socialism? Surely my enemies give the 'Mormon' people and even congress little credit for common sense when they trump up such a charge as this."²⁴

Mr. C. E. Littlefield in discussing the "compact" or "understanding," alleged in the special committee's majority report and in the Ministerial Association's charge—the "compact" said to exist between the government of the United States and the territory of Utah about statehood, said:

"The ingenuity of the majority is not yet exhausted. They say: 'His election as a representative is an explicit and offensive violation of

speeches of Mr. Tayler, of Dec. 4th, and 5th, 1899, and Jan. 23rd and 25th, 1900. Also the speeches of Mr. Lanham, of Texas, Mr. Powers, of Vermont, Mr. McPherson, of Iowa, Mr. Miers, of Indiana and a number of others whose speeches were printed in the *Congressional Record* between the dates of 23rd, and the 30th of the same month, of 1900, and also editorials of the daily press and other periodicals throughout the country during December and January of 1899-1900.

23. Utah Ministerial Association Address, *Salt Lake Herald*, Dec. 7th, 1898.

24. *New York Times* of Nov. 19th, 1899. Also *Smoot Hearings*, vol. i, and *Washington Post* of Nov. 29th, 1899 where the argument is quoted.

the understanding by which Utah was admitted as a state. I would like to inquire of the majority where they find the authority for the proposition that the United States government can go into the question of an 'understanding' that existed before a state was admitted into this Union, and then, having found it, exercise this domiciliary, supervisory, disciplinary power over the state. Where does it exist? What is it indicated by? Is it oral? They do not undertake to suggest it is the enabling act, although they refer to it. But is it an oral 'understanding' that exists between the states by reason of this 'general welfare' power? I assume that they invoke it under this 'general welfare' proposition. Think of it! An '*understanding*' which is based on what? A compact or a contract? I had supposed it was too late at this stage of the history of the Republic, in these times of peace, to invoke the proposition of a contract, existing between the states and the general government.

I knew that the theory of a 'contract' was the parent of the infamous heresy of secession, and I have believed that it was wiped out in blood from 1861 to 1865. More than 500,000 of the best, truest, most heroic, and bravest men that ever met on the field of battle—the blue and the gray, brethren all—rendered up their lives that that infamous proposition should be blotted out, and blotted out forever. Let the dead past bury its dead. I submit that under these circumstances it ill becomes this house to undertake, in the interest, if you please, of civilization, to invoke anew the proposition of a 'contract' existing between a state and the United States."²⁵

To make the assertion good that there had been a violation of the alleged compact between the United States and Utah, warrant must be found for it in what the people of the United States through their representatives in congress demanded of the people of Utah as a condition precedent to statehood; and that requirement, and the only one in regard to polygamy, is stated in these terms:

"And said convention shall provide, by ordinance irrevocable without the consent of the United States and the people of said state—

First—To what extent polygamy is practiced or polygamous secured, and that no inhabitant of said state shall ever be molested in person or property on account of his or her mode of religious worship; provided, *That polygamous or plural marriages are forever prohibited.*"

SENATOR RAWLINS ON UTAH'S COMPACT

It did not go to polygamous living growing out of relationships formed previous to the Woodruff Manifesto of 1890, or of statehood, nor did it require a pledge should be

25. *Congressional Record*, 56th Congress, Jan. 23rd, 1900.

given that no polygamist should ever be elected or appointed to office. Commenting on the charge that Utah had broken faith with the United States, in the election of a polygamist to office, Mr. Joseph L. Rawlins, at the time United States senator from Utah, said at Washington, about the time of the opening of the congress—

"It is claimed that the Mormon church by deceit and fraud brought about the admission of Utah into the Union, so that behind statehood lines polygamy might be practiced with impunity. I was delegate from Utah in the house at the time of her admission, introduced the bill under which she became a state, and spoke in the house in favor of its passage. * * *

The Mormon church did not speak or act through me. * * *

The compact between the state of Utah at the time of her admission and the United States that polygamous marriages should be forbidden was to be irrevocable, without the consent of the United States and the people of the state. Utah, both in her Constitution and statutes, has provided for the punishment of polygamy and all kindred offenses. No complaint has been made, or can truthfully be made that these laws are not enforced. * * *

'During the past year the state has been raked in search of cases of polygamy with which to feed this new modern sensation, but no complaint has been presented against any man charging him with this offense.' Some cases of 'unlawful cohabitation' have been prosecuted and punished. So far Utah has sacredly kept the compact."²⁶

Not only is it a fact that there was no agreement entered into between the church leaders and the government of the United States, respecting the non-election or non-appointment of polygamists to office, or upon any other question, but any such covenant or compact would have been out of all harmony with the relationship of the federal government to religious organizations—which it recognizes not at all, but deals solely with the people as citizens or with the states and territories.

HAD "POLYGAMISTS" BEEN APPOINTED TO OFFICE IN UTAH BY THE
FEDERAL ADMINISTRATION?

Senator Rawlins in a carefully prepared interview for the *Washington Post* of November the 29th, 1899, before

26. *Washington Post*, interview of Nov. 29th, 1898.

the opening of the 56th congress, announced his intention to introduce into the senate of the United States the following resolution in respect to an inquiry into alleged polygamy in Utah and the appointment and election of polygamists to office in that state; for, he charged in his interview, that if the people of Utah had violated any "understanding" or "compact" respecting polygamy and the admission of Utah into the Union by the election of a polygamist to congress, *then the federal administration had also violated said "understanding" and "compact" by appointing a number of polygamists to federal offices in Utah.* Following is the resolution which he presented in the senate:

"Be it resolved by the senate of the United States that the committee on judiciary is hereby instructed to inquire into and report to the senate:

First—To what extent polygamy is practiced or polygamous marriages entered into in the United States or in places over which they have jurisdiction.

Second—Have polygamists, or persons reputed to have more than one wife, been elected to office by the people of Utah, and if so, has such election been for the purpose of encouraging polygamy or in violation of any compact between said state and the United States.

Third—Have polygamists, or persons reputed to have more than one wife, been appointed to office by the president, by and with the advice and consent of the senate, or in cases where the concurrence of the senate is not required, and if so have such appointments been made in aid of polygamy or in violation of the compact between the United States and the state of Utah with reference to that subject?

Fourth—What, if any, steps should be taken or measures enacted for the prevention of polygamy in the United States and in places over which they have jurisdiction."²⁷

Mr. Rawlins contended, of course, that there was no "compact" except the demand that the Utah Constitution should prohibit future polygamous marriages as already quoted from his interview in preceding pages. Then he proceeds:

"But it is charged that the people of Utah have elected polygamists,

27. The resolutions appear with the interview in the *Washington Post* of Nov. 29th, 1898. Senator Rawlins also introduced said resolution and had it read from the clerk's desk in the senate on the 6th of Dec., and it was referred to the senate committee on judiciary. (*Congressional Record*, 56th Congress, p. 98).

or persons in that status, to office. This is true in some instances *and it is equally true that the United States, acting by the president with the consent of the senate has appointed polygamists to office and under such appointment for almost three years these polygamists have held and are now holding important federal offices in the state of Utah.*

If this be a violation of the 'compact,' both parties have violated it, the president on the one hand and the electors of the state on the other. No more have the people of Utah than the president sought to cram polygamy down the throat of the nation or the state. *Such a motive cannot be justly ascribed to either.*

That polygamists should be disqualified to vote or to hold office was no part of the compact between the state of Utah and the United States. In territorial elections polygamists were so disqualified. *But congress purposely and knowingly wiped away all such disqualifications as to the very first election to be held under the enabling act, namely, the election of delegates to the constitutional convention.* If persons who happened to be in the status of polygamy have been elected by the people of Utah, or appointed by the president to office, it has been for other reasons, personal or political, and not to lend countenance or aid to that practice.

Further accession to the ranks of polygamy being rigidly forbidden, and out of the question, it has not been thought necessary, or quite in the line of charity to keep a class otherwise reputable under perpetual civil or political disability."

The charge that the Republican administration had appointed polygamists to office, with all the consequences stated above by Senator Rawlins, and one other—namely, that the administration had set the example in the matter—was dramatically challenged on the floor of the house by Mr. Grosvenor of Ohio; but notwithstanding the challenge of the fact it was true that the McKinley administration, with the consent of the United States senate, had made such appointments, and that, too, with the knowledge at least by the president and the senate committee on post offices and post roads, that proposed appointees were living in polygamous relations. In addition to the statement of Senator Rawlins, already quoted from his *Washington Post* interview, the senator wrote and handed to the representative from Utah the following autographed letter now in his possession:

"UNITED STATES SENATE

Washington, D. C., Dec. 15, 1899.

Hon. B. H. Roberts,

Dear Sir: In relation to the appointments of John C. Graham

as postmaster at Provo and Orson Smith as postmaster at Logan, I remember it was stated in the public press of Utah that protests against these men had been signed and forwarded to the president charging them with living in polygamy, that these men were generally reputed to be polygamists. That afterwards the names of these men were sent to the senate by the president. That while the matter of their confirmation was pending in the senate I was informed by my colleague, Senator Cannon, that affidavits charging them with living in polygamy had been presented to the president, and laid before the committee of the senate or post offices and post boards.

Respectfully,

[Signed] "J. L. RAWLINS."²⁸

In addition to this evidence there was much more presented in the remarks of the Utah representative, and is to be found in his first speech in the house in his own defense. And was later further evidenced in the fact that several of the federal officeholders named in the discussion were removed from the federal positions to which they had been appointed, but unjustly so, because there was no pledge asked and none given that men in their status as to polygamous living would neither be appointed, nor elected to office; and as Senator Rawlins, the author of Utah's enabling act, explains and as already quoted:

"That polygamists should be disqualified to vote or to hold office was no part of the compact between the state of Utah and the United States. In territorial elections polygamists were so disqualified. But congress purposely and knowingly wiped away all such disqualifications as to the very first election to be held under the enabling act, namely, the election of delegates to the constitutional convention."

Though not admitted to membership in the house, both on the proposition of denying to the member-elect the right to be sworn in on the *prima facie* evidence of the regularity of his election and the possession of the constitutional qualification for the office to which he had been elected; as well also upon the report of the special committee to the house

28. See also Rawlins' *Washington Post* interview, of Nov. 29th, 1898. Thirty-one of the 107 members of the Utah constitutional convention, were in the status of polygamy, and were elected and served without protest from any quarter. (See tabulation of the convention in respect to this matter in proceedings in the *Smoot Case*, vol. iv, pp. 136-7).

denying his right to the seat to which he had been elected, the member-elect from Utah was accorded an opportunity to speak in his own behalf. The first opportunity came on the 5th of December, 1899, when he was accorded thirty minutes by the courtesy of and by the unanimous consent of the house, and this by further unanimous consent was extended by ten minutes.²⁹

The second opportunity was given under like limited conditions on the 23rd of January. As in both cases the speaker could be stopped by any member, at any moment, withdrawing his consent, the limitations were not very conducive to freedom of debate on the questions at issue. Not that anything that the member-elect could have said with even unfettered opportunity of discussion would have changed the results of the action by the house. The questions discussed were ably presented on the floor of the house by members favorable to the member-elect from Utah, but the country, even more than the house, was drunk with anti“Mormon” prejudice and demanded the denial of the seat to the member-elect from Utah, and the house acted in harmony with the country’s demand as already set forth by the vote recorded in this chapter.

29. See *Congressional Globe* of that date, 1899.

CHAPTER CLXXVII

PRESIDENT SNOW'S WORLD-EMBRACING VIEW OF THE MISSION OF THE CHURCH—HIS DEATH

WE MAY now revert to more churchly things in the remainder of President Snow's administration.

LARGENESS OF THE NEW DISPENSATION

In a previous chapter attention was called to Lorenzo Snow's world-embracing grasp of things with reference to the largeness and mightiness of the New Dispensation of the gospel of Jesus Christ, of which the Church of the Latter-day Saints is the manifestation and working power—when he was upon his mission as an apostle in Italy and Switzerland in 1849-1852.¹ After the financial difficulties of the church were put in the way of adjustment his mind seemed to revert to this world-wide extension idea of the gospel, and he introduced the subject into the councils of the apostles. He doubted the propriety of the twelve apostles and their co-laborers, the seventies, remaining so constantly at home attending to the organized stake and auxiliary association affairs in Zion—and which could so easily and more appropriately be attended to by others.

"For instance," said President Snow, when discussing this subject in a council meeting of the apostles, "here are the Young Men's Mutual Improvement Associations, and it is astonishing, when we come to think about it, that the apostles should be spending their time so largely among them. One would think that young men, properly instructed in a quorum [association] capacity, ought to be able to carry on this work with such aid as they might get in their different stakes. It seems to me the quorums of the priesthood will

1. See chapter lxxxviii, this *History*.

have to receive attention. The active work that is being done appears to be in the direction of Mutual Improvement, but the quorums are not doing much.²

President Snow especially deprecated this limited or localized activity of the apostles while so much of the world was uninstructed as to the New Dispensation message—so many nations and peoples that had not as yet heard the glad tidings of a restored gospel and a divine authority and commission given to teach it to the world.

THE MISSION TO JAPAN

It was this spirit operating upon the mind of President Snow that led to the organization of the mission to Japan. Elder Heber J. Grant, of the council of the apostles was appointed on the 14th of February, 1901, to open this mission. Subsequently Horace S. Ensign, Alma O. Taylor, and Louis A. Kelsch were associated with him, and together they started for Japan, July 24th, 1901, arriving at Yokohama on the 12th of August.

Progress was slow and difficult in this mission, but finally a foothold was obtained. Articles were published in the periodicals of the country, announcing the mission and its purpose, tracts in explanation of the New Dispensation message were also published, and finally the *Book of Mormon* was translated and published, the work, chiefly, of Elder Alma O. Taylor. The first convert to the faith was baptized at Tokyo on the 8th of March, 1902; his name was Hajimi Nakazaha; he had been a Shinto priest. At one time as high as eleven missionaries from the stakes of Zion labored in Japan, and for some time a mission was maintained in that land.

PRESIDENT SNOW ON THE MISSION OF THE TWELVE AND THE SEVENTY

The opening of the work in Japan, however, President

2. President Joseph F. Smith who succeeded President Snow quoted the above in an article in the *Juvenile Instructor* on the "Last Days of President Snow," vol. xxxvi, pp. 689-90.

Snow regarded only as a beginning. He had in mind the empires of Russia and Austria, and the republics of South America. He referred to the experience of men as given in the *Book of Mormon*, "who went and labored among their bitterest enemies and accomplished a mighty work." "The Lord," said President Snow, "was obliged to help them as they were in the line of their duty, and this he did in miraculous ways."

This was said in a council meeting of the apostles on the 28th of September. President Snow then remarked:

"I want to say—I want to say, here are the apostles and the seventies, their business is to warn the nations of the earth and prepare the world for the coming of the Savior. They have been engaged in this more or less. Now we find ourselves in a compact, gathered condition, the church divided into stakes, and we come together from time to time in a council capacity to consider the interests of the cause generally and make appointments for brethren to visit the stakes when holding their conferences. It looks to me that our minds ought to extend somewhat, and we get out of the beaten track, and a little change be made. For instance, we have started in this direction by sending Brother Grant over to Japan, but this is only a start. Things seem to be going on favorably with him; but whether he will accomplish much or not matters not in one sense; it is for the apostles to show to the Lord that they are his witnesses to all the nations, and that they are doing the best they can."³

President Snow named Austria and Russia, and said there were other countries where it seemed impossible to introduce the gospel, but still it had been done partly in Austria, and elders were making inroads into countries where they heretofore had been forbidden to preach. The president also said there were republics on the American continent which never had been visited by an apostle, and he did not know how far the Lord justified the apostles and seventies in waiting for things to become pleasant and agreeable before visiting such countries. He also said he did not know how far the Lord justified the apostles and the presiding seventies in permitting the missionary elders to do the work, evidently

3. "Last Days of President Snow," by President Joseph F. Smith, in *Juvenile Instructor*, vol. xxxvi, p. 690.

upon their own volition, of opening up new fields of labor in foreign lands. I now present this, he said, for the consideration of the brethren: "How far are the apostles justified in stopping at home? The priesthood, he said, was established for certain purposes, and there is a certain work that has to be done. The Lord seems to be in a hurry to have it done, and I think it is our duty to reflect seriously upon this and see how matters stand with us."⁴

As the October conference drew near, the theme seemed to take even stronger hold upon the mind of President Snow. He had been in feeble health for some time, and he announced his intention to reserve all his strength to the Sunday afternoon of the coming conference in order to present this subject of the work of the apostles to the church in conference assembled—October 6th. The president was feeble, but his mind was remarkably clear, and he stood erect under the weight of 87 years, and addressed the saints at some length on the subject that was increasingly burdening his mind. He said in part:

"This church is now nearly seventy-two years of age, and we are not expected to do the work of the days of our youth, but do greater, larger, and more extensive work. The Lord is coming one of these days, and he is interested in the work that you ought to be doing, and anxious to be doing. You ought to be doing all that you possibly can, and leave everything in your business affairs that you wisely can do and attend to these matters."

THE WORK, JURISDICTION, AND RESPONSIBILITY OF PRESIDENTS OF STAKES AND BISHOPS

"The presidents of these fifty stakes should consider the people in their respective stakes, in their various dominions. They should regard them as their own family, as their sons and daughters; and take as deep an interest in them as they ought to take in their own wives and children. It should be their thought by day and by night, how and in what way they can be most serviceable to their respective charges. Oh! brethren, do remember these things that I am now talking about; do not forget them. You presidents, when you retire to your rest, you probably can spend half an hour before you go to sleep and let your thoughts run over your several jurisdictions. See wherein either phys-

4. *Ibid.*, p. 689.

ically, financially, or spiritually, you can help, and what can be done best in advancing the interests of your official family. These bishops, however wise and energetic they think themselves—and the most of them certainly are very wise and energetic—need to be looked after. It is not for the apostles to look after them. The apostles have a work that is in another direction altogether. I want the presidents of stakes hereafter to realize that it is their business, not the business of the apostles; it is the business of the high priests, the elders, the bishops, priests, teachers, and deacons, to look after these things [i. e. of a local character]. Do not lay this duty upon the shoulders of the apostles. It is not in their line, at least only occasionally.”

THE PRIESTHOOD AND ITS MISSION

“There is a certain channel by and through which the Lord intends to exalt his sons and daughters, to remove wickedness from the earth and to establish righteousness, and that channel is the priesthood, which God has established and shown clearly the nature and character of the various offices and duties thereof. The apostles and the seventies—it is their business, *by the appointment of the Almighty, to look after the interests of the world*. The seventies and the twelve apostles are special witnesses unto the nations of the earth. The business of the high priests, the elders and the bishops, is to look after the interests of these various organizations that I have mentioned. You presiding officers of the various stakes of Zion, the time is coming when you will not have to call and depend so much upon the twelve apostles and upon the seventies.

I wanted to say this, and to speak it with energy in a way that you will not forget it, that you cannot forget it. It is a wonderful responsibility, and the Lord expects it of you.”⁵

THE FIRST PROPHET ON THE SAME THEME

Of course the twelve apostles labor under the direction of the first presidency of the church,⁶ and it is but just to them to say that they have always held themselves ready to go wherever sent, and whenever called; and the purpose of the introduction of the foregoing question by President Snow was doubtless to prepare the minds of the twelve for a larger conception of their duties, previous to entering into broader fields of activity under the direction of the first presidency. But notwithstanding the twelve labor under the direction of the first presidency, in building up the kingdoms of Mes-

5. *Millennial Star*, vol. lxiii, last discourse of President Lorenzo Snow, p. 690, *et seq.*

6. *Doctrine and Covenants*, sec. 107:33.

siah, as designated in the revelations of God, yet to them is left something of initiative in their movements, and a voice in the matter of their travels and labors. The first Prophet of the New Dispensation, when giving instructions to the twelve and the seventy in the Kirtland temple—and it is to be noted that the same broad, and noble grasp of the largeness of the mission of the apostles is present in the instructions of the first Prophet as in the above instructions from President Snow—said:

“The twelve are not to serve tables, but to bear the keys of the kingdom to all nations, and unlock the door of the gospel to them, and call upon the seventies to follow after them, and assist them. *The twelve are at liberty to go where so ever they will, and if any one will say, I wish to go to such a place, let all the rest say, amen.*”⁷

The above instructions, then, of President Lorenzo Snow to the twelve, were really but a reversion to the earlier instructions of the Prophet Joseph; and doubtless rested upon that principle, still earlier announced in a revelation from God, wherein the Lord said:

“Verily I say, men should be anxiously engaged in a good cause, and do many things of their own free will, and bring to pass much righteousness;

For the power is in them, wherein they are agents unto themselves. And inasmuch as men do good they shall in nowise lose their reward.

But he that doeth not anything until he is commanded, and receiveth a commandment with doubtful heart, and keepeth it with slothfulness, the same is damned.”⁸

DEATH OF PRESIDENT GEORGE Q. CANNON

On the 12th of April, 1901, President George Q. Cannon, first counselor in the first presidency, died at Monterey, California.⁹ It was in Liverpool that the Cannon family came in contact with the New Dispensation of the gospel under the ministry of Elder John Taylor, who had married a grand aunt of George Q. Cannon's, in Canada, whither she had gone some years before as companion to

7. *History of the Church*, period i, vol. ii, p. 432.

8. *Doctrine and Covenants*, sec. lviii:27-29.

9. See biographical note on George Q. Cannon, this *History*, ch. xcvi, footnote

the wife of Mr. Mason, the private secretary of Lord Aylmer, governor-general of Canada. George Q. Cannon was but thirteen years of age at this first contact with the New Dispensation of the gospel, but he accepted it enthusiastically with the rest of his family; and three years later arrived in Nauvoo, Illinois, where he met the Prophet Joseph Smith and became an ardent admirer of him, and a firm believer in the divinity of his mission. Beyond this it is not necessary to detail the biography of George Q. Cannon, since the rest of the important events of his life are interwoven with the history of the church as set forth in this work.

Of the last year or two of his life, of his death and of his character, however, O. F. Whitney in a biographical sketch of him in his volume of Biographies, published in his addenda to the *History of Utah*, says:

"He made occasional visits to the Pacific coast, and one of the most delightful of these was continued on to the Sandwich Islands, where in the fall of 1900, he attended as the almost idolized guest of honor the Jubilee Anniversary of the opening of that mission fifty years before. With tears and every demonstration of affection, he was met, crowned with garlands, and escorted through the islands by some of those whom half a century before he had known and baptized. He was visited by the ex-queen and at her request he blessed her."

This was Liliuokalani, the sister of the native King Kalakaua, and herself the last of the native rulers of the Hawaiian Islands, having been deposed by the revolution of 1893.

"Elder Cannon returned to Utah in January of 1901, but his health, which for two years had been impaired, withstood but poorly the rigors of a Utah winter, as compared with the balmy gentleness of the Pacific Islands climate which he had just left, and in March he deemed it advisable to seek relief on the coast. The change did not afford benefit, and his illness almost immediately assumed a fatal form. In the early morning of the 12th of April, at the peaceful old town of Monterey, the end came. The remains were brought home for burial, and after a public funeral in the presence of mourning thousands, were consigned to the family vault in the city cemetery."

CHARACTER OUTLINE

"President Cannon was a man of varied gifts and wide experience.

A natural counselor, his eminence and influence as such were well warranted. As an orator he shone among the brightest, and almost equal to his powers as a speaker were his abilities as a writer. Among his literary remains are the *Life of Joseph Smith* and the *Life of Nephi*, the latter a *Book of Mormon* theme. He had begun a compilation of the *History of the Church* when death called him. Able and successful in business he prospered as publisher, merchant, mining man, and agriculturist. His *forte*, in secular affairs, was statecraft, and in the field of diplomacy, Utah * * * has not seen his equal."

THE FILLING OF VACANCIES

At the October conference of 1901, Joseph F. Smith was advanced from the position of second to first counselor in the first presidency, and Elder Rudger Clawson, of the council of the twelve, was chosen to be the second counselor. The presidency as thus constituted and sustained by the conference, however, did not long survive, as three days after the close of the conference, *viz.*, October 10, 1901, President Lorenzo Snow died, at his official residence, the noted Beehive House, Salt Lake City.

Elder Rudger Clawson had not been ordained to the position of second counselor in the first presidency before the death of President Snow, and hence his appointment to the position of second counselor in the first presidency was not completed; nor did President Snow live long enough to see his large views respecting the mission of the twelve and the seventy, and the priesthood generally, put into operation.

PRESIDENT LORENZO SNOW

It will not be necessary to give an extended biographical account of President Snow since the greater part of his earthly career has been identified with the leading events of the church over which, for the period of a little more than three years, he had the honor to preside, as prophet, seer, and revelator. Already there have been noted in these pages his call to the apostleship; his great mission to Italy, which extended to Switzerland, Malta, and India; his mission to Hawaii; his industrial cooperative system inaugurated at Brigham City,

and for so long a period successful; his mission to Palestine, in company with George A. Smith, counselor in the first presidency; his imprisonment for conscience sake through being involved in the plural marriage system of the church; his notable interview with Governor Caleb W. West while in prison, and his avowed willingness to suffer for his convictions; and lastly his administrative acts as president of the church.

He was born at Mantua, Portage county, Ohio, April 3rd, 1814, of New England ancestry, his father, Oliver Snow, being from Massachusetts, and his mother, Rossetta L. Pettibone, from Connecticut. He was descended, as he, himself informs us, "from the genuine Puritan stock—those who fled from religious persecution in the old world, and landed on Plymouth Rock, of historic celebrity."¹⁰

President Snow's boyhood and young manhood were spent upon a farm, but throughout both periods he manifested a desire for learning and acquired more than an ordinary education, by attendance upon the public schools of his country, by private study, and by entering Oberlin College, from which, however, he did not graduate. In 1836 he went to Kirtland, Ohio, to visit his sister, Eliza R. Snow Smith, at the time living there. Here Lorenzo Snow came in contact with "Mormonism," and its founder, Joseph Smith, and was baptized by one of the twelve apostles of the New Dispensation, *viz.*, John F. Boynton. He soon afterwards became conscious of the reality of his spiritual baptism, which brought to him the testimony of the truth of the gospel he had embraced; the convincing power of God to his soul of that truth which remained with him throughout his life. The event is thus described by himself:

THE SPIRITUAL EXPERIENCE OF LORENZO SNOW

"Some two or three weeks after I was baptized, one day while engaged in my studies, I began to reflect upon the fact that I had not

10. *Biography and Family Record of Lorenzo Snow*, by his sister, Eliza R. Snow Smith, ch. i.

obtained a knowledge of the truth of the work—that I had not realized the fulfillment of the promise, ‘he that doeth my will shall know of the doctrine,’ and I began to feel very uneasy. I laid aside my books, left the house, and wandered around through the fields under the oppressive influence of a gloomy, disconsolate spirit, while an indescribable cloud of darkness seemed to envelop me. I had been accustomed, at the close of the day, to retire for secret prayer, to a grove a short distance from my lodgings, but at this time I felt no inclination to do so. The spirit of prayer had departed, and the heavens seemed like brass over my head. At length, realizing that the usual time had come for secret prayer, I concluded I would not forego my evening service, and as a matter of formality, knelt as I was in the habit of doing, and in my accustomed retired place, but not feeling as I was wont to feel.

I had no sooner opened my lips in an effort to pray, than I heard a sound, just above my head, like the rustling of silken robes, and immediately the Spirit of God descended upon me, completely enveloping my whole person, filling me, from the crown of my head to the soles of my feet, and O, the joy and happiness I felt! No language can describe the almost instantaneous transition from a dense cloud of mental and spiritual darkness into a refulgence of light and knowledge, as it was at that time imparted to my understanding. I then received a perfect knowledge that God lives, that Jesus Christ is the Son of God, and of the restoration of the holy priesthood, and the fullness of the gospel. It was a complete baptism—a tangible immersion in the heavenly principle or element, the Holy Ghost; and even more real and physical in its effects upon every part of my system than the immersion by water. * * * I was perfectly satisfied, as well I might be, for my expectations were more than realized, I think I may safely say in an infinite degree.¹¹

PERSONAL APPEARANCE AND CHARACTERISTICS OF PRESIDENT SNOW

In person President Snow was of spare build, but well formed, and in manners elegant, refined, and gentle; persuasive, but forceful; and it was said of him that he could say and do the hardest things in the gentlest, quietest manner possible to man. His appearance would indicate to the casual observer, a delicacy, if not weakness, of physical constitution; but in reality he was strong and robust, and no man among his frontier and pioneer associates could endure more physical hardships or sustain more prolonged and intense mental exertion than he could. He possessed keen business instinct, as well as a highly sensitive spiritual nature; in him indeed were combined the mind qualities that go to the making

11. *Biography and Family Record of Lorenzo Snow*, pp. 7, 8.

of the practical mystic; and had he come to his position of chief leadership of the church earlier in life, there is no question but that his administration would have been far more notable than it was under the limitations of three years, and under the handicap of extreme old age. But even as it was in his achievements as the prophet leader of modern Israel, he gave forth a larger vision of the work of the New Dispensation than had previously, for some time at least, obtained; and he set the church in the way of being delivered from the financial straits into which it had fallen; and had given an impetus to the mission and dignity to the priesthood.

CHAPTER CLXXVIII

REORGANIZATION OF THE FIRST PRESIDENCY—THE ELECTION OF REED SMOOT AS UNITED STATES SENATOR FROM UTAH

FOLLOWING both the instructions of President Woodruff previously mentioned¹ and the example in organizing the first presidency when Lorenzo Snow was chosen president, the council of the apostles, including the two counselors of the late president, took immediate action in the matter of reorganizing the first presidency. Seven days after the death of President Snow the organization was effected—October 17, 1901. Joseph F. Smith was chosen president and selected John R. Winder and Anthon H. Lund for his counselors in the order named. John R. Winder at the time of being selected was second counselor in the presiding bishopric of the church, a high priest, therefore, and a man of large experience, much beloved by the brethren of the authorities, and by the people generally. Anthon H. Lund, was a member of the apostles' quorum and a faithful man, held in esteem everywhere and by all classes of the community.

JUSTIFICATION FOR PROMPT ORGANIZATION OF THE FIRST PRESIDENCY

President Smith in his discourse at the special general conference of the church assembled on the 10th of November following, to ratify and perfect the organization of the presidency as proposed, set forth the principle and instruction on which the church authorities and the church proceeded to organize so promptly the first presidency. He stated the matter in chronological order as follows:²

"After the death of the Prophet Joseph Smith, the twelve apostles continued as the presiding quorum of the church for a number

1. See this *History*, chapter clxxvi.

2. Minutes of Special General Conference, 10th Nov., 1901, *Millennial Star*, vol. lxiii, p. 787.



JOSEPH F. SMITH

**Sixth President of the Church of Jesus Christ
of Latter-day Saints
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of years; but finally they were moved upon by the Holy Spirit to reorganize the first presidency of the church, with Brigham Young as president, and Heber C. Kimball and Willard Richards as his counselors. In reality this organization might have been effected within twenty-four hours after the death of the Prophet Joseph Smith, but their action was delayed, until they found by experience that the exercise of the functions of presidency and the government of the church by twelve men at the head was not only cumbersome, but was not fully perfect in the order of the holy priesthood as established by the Lord.

On the death of President Brigham Young, President John Taylor followed in some measure the example of his predecessor, and it was some time before the presidency of the church was organized. * * * At the death of President Taylor, President Woodruff hesitated, and he allowed a little time to pass before the presidency was again organized. When at last he became convinced that it was his duty, and necessary in order to carry out the purposes of the Lord, he reorganized the presidency of the church.

At that time he gave a solemn injunction to his fellow servants in relation to this. He desired it understood that in all future time, when the president of the church should die and thereby the first presidency become disorganized, it would be the duty of the proper authorities of the church to proceed at once without any unnecessary delay, to reorganize the first presidency.

As soon as the news reached us of the death of President Woodruff, who was in California at the time, President Lorenzo Snow said to me, 'It will be our duty to proceed as soon as possible to reorganize the presidency of the church.' As you are aware, after the burial of the remains of President Woodruff, he proceeded at once to do this. In this connection I may tell you another thing. President Snow said to me, 'you will live to be president of the Church of Jesus Christ of Latter-day Saints, and when that time comes you should proceed at once and reorganize the presidency of the church.' This was his counsel to me, and the same was given to the twelve apostles. In accordance with this principle and with the injunction of President Snow, within one week after his death the apostles proceeded to designate the new presidency of the church, and we did it strictly in accordance with the pattern that the Lord has established in his church, unanimously.

PRESIDENT JOSEPH F. SMITH

President Joseph F. Smith was a son of Hyrum Smith, brother of the Prophet, who shared martyrdom with that brother in Carthage Prison. His mother was Mary Fielding, born at Honidon, Bedfordshire, England. She was the eldest daughter of John and Rachel Fielding. The Fieldings were a family devoutly religious, and connected with the reform

movements in the Wesleyan Methodist church, of which they were prominent members. In 1834, Mary Fielding left her native land and went to Toronto, Upper Canada, where she joined her youngest brother, Joseph Fielding, and a younger sister, Mercy Rachel Fielding. Here she came in contact with the New Dispensation of the gospel through the preaching of Elder Parley P. Pratt and accepted its message, in May, 1836. The Fieldings removed to Kirtland in the spring of 1837, and in the December following—24th—Mary Fielding was married to Hyrum Smith, brother of the Prophet Joseph. She proved to be a woman of rare Christian faith, and virtue, and patience, and was possessed of fine business and executive abilities as she proved to demonstration in the management of her family through all the trying experiences of her eventful life. She was a worthy wife of Hyrum Smith, the presiding patriarch to the church, and an equally worthy mother of the future president of the church, Joseph F. Smith; and her faith and virtues profoundly influenced the life of her son.³

It had long before been predicted that Joseph F. Smith would preside over the church; and this, with the sympathy that his family relationship elicited, together with the fact of his well known uprightness of life, and his love and devotion for the work of the New Dispensation of the gospel, combined to make his selection for president very acceptable to the church.

VACANCIES IN THE PRESIDING COUNCIL FILLED

Hyrum M. Smith, eldest son of President Smith, was a few days later—October 24th—chosen to fill the vacancy in the council of the twelve apostles made by the advancement of Elder Anthon H. Lund to the council of the first presidency. Orrin P. Miller, was chosen the same day to fill the vacancy in the presiding bishopric of the church, made by the advance-

3. Two chapters in the *Women of Mormondom*, Edward Tullidge, 1877, are devoted to the experiences of this noble woman, and what is there set down justifies all that is said above of her character.

ment of John R. Winder to the council of the first presidency. These changes brought Brigham Young, son of the late President Brigham Young, to the position of president of the quorum of the twelve apostles.

A special general conference of the church was called to meet on the 10th of November, to ratify the several steps that had been taken in organizing the first presidency and the changes effected in the council of the apostles and the presiding bishopric. Accordingly the conference convened and sustained all the general officers of the church, including all the new appointees. The priesthood was grouped in a general assembly of quorums, each order of officers by itself, and expressing, by its position, its relationship to the whole organization. The several nominations and motions were voted upon by each group severally, and then finally by the whole body of the priesthood and of the people.⁴

ENDORSEMENT OF PRESIDENT SNOW'S DOCTRINE AND POLICY
BY PRESIDENT SMITH

Early in his administration President Joseph F. Smith gave full and complete endorsement to the views upon the priesthood, its organization and purpose of mission and the policy of the church in relation thereto. This in a signed article by him in the *Juvenile Instructor*. The signed article appeared in this periodical named on the 15th of November, 1901, following within a month of his own installment as president of the church. The article was entitled "The Last Days of President Snow;" and the discourse of the late president, at the regular conference of October the sixth, was declared to be the "word of the Lord to us all." "By way of comment," remarks President Smith, after a full setting forth of what the late president had said in his discourse, "I may briefly add, that we accept what is contained therein on the duties of the twelve, and presiding priesthood, as the word

4. Elaborate Minutes of the Conference will be found in *Millennial Star*, vol. lxiii, pp. 769-772 and 778-791. President Smith's important discourse at this conference will there be found complete, pp. 785-87 and 801-4.

of the Lord to us all. It is so plain and so convincing as to leave no room for doubt; and there remains but one thing for us to do, and that is to zealously and arduously labor to successfully accomplish all that is required at our hands."

The doctrine of the late president on priesthood, then, thus so heartily endorsed by the newly elected president, and declared to be "the word of the Lord to us all," may be accepted as the policy of the church, *viz.*, exalt the priesthood and make it to function in the church as designed in the revelations of God to the church of the New Dispensation of the gospel.⁵

ELECTION OF REED SMOOT TO THE UNITED STATES SENATE—ANTI-
"MORMON" PROTEST

Early in President Smith's administration, that is to say January 20th, 1903, the Republican legislature of Utah elected Reed Smoot to be United States senator from Utah. As he was a member of the quorum of the twelve apostles, having been chosen to that office at the general conference of the church in April, 1900, filling the vacancy occasioned by the death of Franklin D. Richards; and being an apostle, Reed Smoot, of course, had conformed to the church rule, and obtained "leave of absence" as to his church duties in order to be a candidate for the office he sought; and from that circumstance the cry was raised about "church intrusion into state and national politics," and loud protests were made against Mr. Smoot being seated in the United States senate. The matter finally took the form of a solemn protest against his admission to the senate by a group of eighteen men in Salt Lake City, in which sectarian ministers predominated, but there were among the names, mining and business men, lawyers and editors. E. B. Critchlow, member of a prominent law firm in Salt Lake City, and Wm. Paden, pastor of the First Presbyterian church of Salt Lake City, were the chief movers in the protest. The lawyer arranged the form of the

5. Last Days of President Snow, *Juvenile Instructor*, vol. xxxvi, p. 690.

protest, the pastor gathered the material.⁶ The protest followed closely after the senator's election, bearing date of January 26th, 1903. The grounds of the protest are stated in the following excerpts from the document itself, being the introductory paragraphs, and the main subordinate headings of the document:

GROUND S OF THE ANTI-SMOOT PROTEST

"We, the undersigned, resident citizens and qualified electors of the state of Utah, do hereby most respectfully protest:

That Apostle Reed Smoot, senator-elect from the state of Utah, to whom, on or about the 21st day of January, 1903, a certificate of election was issued in due form by the governor of said state, ought not to be permitted to qualify by taking the oath of office or to sit as a member of the United States senate for reasons affecting the honor and dignity of the United States and their senators in congress.

We protest as above upon the ground and for the reason that he is one of a self-perpetuating body of fifteen men who, constituting the ruling authorities of the Church of Jesus Christ of Latter-day Saints, or 'Mormon' church, claim, and by their followers are accorded the right to claim, supreme authority, divinely sanctioned, to shape the belief and control the conduct of those under them in all matters whatsoever, civil and religious, temporal and spiritual, and who thus, uniting in themselves authority in church and state, do so exercise the same as to inculcate and encourage a belief in polygamy and polygamous cohabitation, who countenance and connive at violations of the laws of the state prohibiting the same, regardless of pledges made for the purpose of obtaining statehood and of covenants made with the people of the United States, and who by all the means in their power protect and honor those who with themselves violate the laws of the land and are guilty of practices destructive of the family and the home.

In support whereof we do further show as follows:

I. The Mormon priesthood, according to the doctrine of that church, is vested with supreme authority in all things temporal and spiritual. * * *

II. The first presidency and twelve apostles are supreme in the exercise and transmission of the mandates of this authority. * * *

III. As this body of men has not abandoned the principles and practice of political dictation, so also it has not abandoned belief in polygamy and polygamous cohabitation. * * *

6. The names of the signers are as follows: W. M. Paden, P. L. Williams, E. B. Critchlow, E. W. Wilson, C. C. Goodwin, W. A. Nelden, Clarence T. Brown, Ezra Thompson, J. J. Corum, George R. Hancock, W. Mont Ferry, J. L. Leilich, Harry C. Hill, C. E. Allen, George M. Scott, S. H. Lewis, H. G. McMillan, Abel Leonard. The vocations and standing of these men in the community will be found in proceeding in the *Smoot Case*, vol. i, pp. 591-2.

IV. That this is the attitude of the first presidency and apostolate, even since the suspensory Manifesto of 1890, is evidenced by their teachings since then. * * *

V. This body of officials, of whom Senator-elect Smoot is one, also practice or connive at and encourage the practice of polygamy and polygamous cohabitation, and those whom they have permitted to hold legislative office have, without protest or objection from them, sought to pass a law nullifying enactments against polygamous cohabitation.

VI. The supreme authorities in the church of whom Senator-elect Reed Smoot is one, to wit, the first presidency and twelve apostles, not only connive at violations of but protect and honor the violators of the laws against polygamy and polygamous cohabitation."

Such the statement of alleged facts. The argument was that in consequence of this state of facts, and Mr. Smoot's official association with the body of men in the Church of the Latter-day Saints charged with being responsible for them, he ought not to be admitted as a member of the United States senate, for the reason that it would be—

ARGUMENTS ON THE PROTEST

"First, contrary to the public sentiment of the civilized world;
Second, contrary to express pledges given in procuring amnesty [i. e. for polygamists];

Third, contrary to express conditions upon which the escheated church property was returned;

Fourth, contrary to pledges given by the representatives of the church and the territory in their plea for statehood;

Fifth, contrary to the pledges required by the enabling act and given in the state Constitution.

Sixth, contrary to a provision of the Constitution of the state which, in view of the conditions which have existed for more than fifty years, is peculiarly binding upon the leaders of the Mormon church *viz.* "There shall be no union of church and state, nor shall any church dominate the state, or interfere with its functions."

Seventh, and contrary to law."

Concluding the protestants say:

"We your protestants do further say and do earnestly and solemnly declare that we are moved hereto by no malice or personal ill-will toward Apostle Smoot, nor toward the people whom he seeks to represent in this high position.

We wage no war against his religious belief as such. We do not

7. Proceedings in the Smoot Case, vol. i, pp. 1-25.

to the slightest extent deny him the same freedom of thought, the same freedom of action, within the law, which we claim for ourselves.

We accuse him of no offense cognizable by law, nor do we seek to put him in jeopardy of his liberty or his property. We ask that he be deprived of no natural right nor of any right which under the Constitution or laws of the land he is fitted to exercise. With watchful jealousy we claim for him, whether as a private citizen or as church official, as for ourselves, all the rights, privileges, and immunities safeguarded by the Constitution.

What we do deny to him is the right either natural or political, to the high station of senator of the United States from which to wage war upon the home—the basic institution upon whose purity and perpetuity rests the very government itself."

REVEREND LEILICH'S SEPARATE PROTEST AND CHARGE

A separate protest was made to the senate by one of the signers of the foregoing alleging practically the same things as in the protest here considered, but stated in less judicious terms, and adding the charge that *Reed Smoot was a polygamist*. This was the Rev. J. L. Leilich.⁸ But as Mr. Smoot was not a polygamist and never had been, the charge had no force, and was early thrown out of consideration in the proceedings.⁹

The subject of the right of Reed Smoot to represent Utah in the United States senate was given a most thorough investigation by the senate committee on privileges and elections, of which J. C. Burrows of Michigan was chairman; and Mr. Robert W. Tayler of Ohio, who had been the chairman of the special house committee in the Roberts case, was employed as counsel to represent the protestants in the Smoot case proceedings.

THE SENATE COMMITTEE ON PRIVILEGES AND ELECTIONS

The hearings opened under such authorization by the senate on the 16th of January, 1904—Mr. Smoot in the meantime having been allowed to be sworn in as a member of the senate and exercising the functions thereof.

8. His protest will be found in full in *Smoot Case* proceedings, vol. i, pp. 26-30.

9. *Ibid*, pp. 125-126.

The other members of the committee on privileges and elections who served on the Smoot case, through the years it ran, were:

George F. Hoar, Massachusetts; Louis E. McComas, Williamsport, Md. Joseph B. Foraker, Cincinnati, Ohio; Chauncey M. Depew, New York; Albert J. Beveridge, Indianapolis, Indiana; William P. Dillingham, Montpelier, Vermont; Albert J. Hopkins, Illinois; Philander C. Knox, Pennsylvania; Edmund W. Pettus, Selma, Alabama; Fred T. Dubois, Idaho; Joseph W. Bailey, Texas; Lee S. Overman, Salisbury, N. C.; James P. Clarke, Arkansas.¹⁰

For nearly two years the question was before the senate committee and the press of the country sensationally published the testimony as fast as it was given—especially the parts of it detrimental to the Latter-day Saint Church in Utah, with editorial comment in the main extremely bitter and prejudicial to the moral standing of the church in public opinion.

A veritable "cloud of witnesses" appeared before the senate in Washington, D. C., from Utah and Idaho, including the president of the church, Joseph F. Smith, a number of the apostles and other leading officials of the church; also a number of prominent Gentiles both of Idaho and Utah. As in the wide range of questions asked, and the unexpected turns the investigation took, at times, as also the somewhat complexity of answers given by a great variety of witnesses, some prominent officials of the church, some lay members, some Gentiles, some good-willed and some malicious; some apostate Latter-day Saints, and some sectarian priests, anti-"Mormon" missionaries working in Utah, all this variety of witnesses, competent and incompetent, testifying confusedly as to very many things, historical, and doctrinal and ethical, it was therefore necessary to have the mass of somewhat confusing testimony carefully analyzed; and where found defective or contradictory, or imperfectly expressed or maliciously perverted, it was thought necessary, I say, that these matters be straightened out by corrections being made and the record

10. See *Congressional Record*, 57th Congress, 1st Session, p. 388.

completed, so far as the testimony of church officers and members was concerned. To this end a committee was appointed to make the analysis of the record and suggest the amendments to be made by an instructed witness placed on the stand in behalf of Senator Smoot and properly questioned by his attorneys to elicit the proper answers. This was done, Elder James E. Talmage of the council of the twelve apostles, being chosen and sent to Washington for that purpose, where he testified before the senate. Needless to say his testimony is necessary to the harmonization of the witnesses who speak in relation to the doctrine, history and ethical conceptions of the Church of the Latter-day Saints.

Nor was the sympathy of the senate committee on privileges and elections wholly undivided and solidly anti-"Mormon," now and then indications appeared among the members of it that gave evidence of sympathy with the pro-Smoot side of the controversy. This will be seen in the spirit of the views of the minority finally presented to the senate and discussed on the floor of that chamber. At one point of the investigation also, when President Joseph F. Smith was testifying, and much confusion seemed to be arising in the minds of the committee respecting his testimony, Senator George F. Hoar, of Massachusetts, and a veteran statesman of his country, and though ultimately joining in the majority report adversely to the interests of the senator from Utah, came to the rescue of the situation by briefly but clearly setting forth for the committee in summary the points covered by the testimony of President Smith.¹¹

THE ATTITUDE OF PRESIDENT ROOSEVELT ON THE SMOOT CASE

In addition to the support of powerful members of the senate, it was quite generally understood that President Roosevelt threw the weight of the administration in favor of the senator from Utah; but President Roosevelt insisted that

11. See *Smoot Case*, vol. i, pp. 238-9.

he gave only a moderate personal support, based upon his confidence in the Utah senator's report of his absolute freedom from all entangling associations with practical polygamy, and of all kinds of sex immorality.

Of his connection with the Smoot case, and the part he took therein, ex-President Roosevelt in a letter to Mr. Isaac Russel, published in *Colliers Weekly* for April 15th, 1911, said:

"As for the case of Senator Smoot himself, he came to me of his own accord, and not only assured me that he was not a polygamist, but, I may add, assured me that he had never had any relations with any woman excepting his own wife; and I may also add that it was the universal testimony of all who knew anything of his domestic life that it was exemplary in every way. He also assured me that he had always done everything he could to have the law about polygamy absolutely obeyed, and most strongly upheld the position that the church had taken in its public renunciation of polygamy and that he would act as quickly against any Mormon who nowadays made a plural marriage as against a Gentile who committed bigamy. I looked into the facts very thoroughly, became convinced that Senator Smoot had told me the truth, and treated him exactly as I did all other senators—that is, strictly on his merits as a public servant. I did not interfere in any way as to his retention in the senate, save that where senators came up to speak to me on the subject, I spoke to them freely along the lines I have here outlined, taking the view which I believe is the only view that an American can consistently take, namely, that if Mr. Smoot or anyone else had disobeyed the law he should, of course, be turned out, but if he had obeyed the law and was an upright and reputable man in his public and private relations, it would be an outrage to turn him out because of his religious belief."¹²

One thing, however, will stand somewhat against this claim of disinterestedness beyond what is expressed here by President Roosevelt, *viz.*, the fact that at the time the Smoot case was at the height of its development, January, 1905, Judge Robert W. Tayler of Ohio, who was chairman of the special house committee dealing with the Roberts case, five years earlier, and now acting chief counsel for complainants in the Smoot senate case, and knowing the favorable attitude of President Roosevelt for the retention of Reed Smoot in the

12. The letter was copied from *Colliers* into *Improvement Era*, for June, 1911, pp. 712-718.

senate, was appointed by President Roosevelt to a life's judgeship for the federal district of Northern Ohio. The action, whether intended or not to weaken the force of the prosecution in the Smoot case before the senate committee on elections and privileges, threw the Smoot opposition into confusion, for they knew not whither to turn to find a man who could replace Judge Tayler. Both former Senators John G. Carlisle of Kentucky, and Judge Edmunds of Vermont, and known to be strongly anti-"Mormon," were considered, yet neither being regarded as available, Judge Tayler continued in the case to the close of it before the senate committee, though by doing so he came as dangerously near to being unethical in accepting the appointment as the president was in making it.¹³

The report of the committee of the senate on privileges and elections, made on the 11th of June, 1906, however, was adverse to the senator from Utah. In closing their review of the evidence they said:

REPORT OF THE SENATE COMMITTEE

"The more deliberately and carefully the testimony taken on the investigation is considered, the more irresistibly it leads to the conclusion that the facts stated in the protest are true; * * * that the said first presidency and twelve apostles do now control, and for a long time past have controlled, the political affairs of the state of Utah, and have thus brought about in said state a union of church and state, contrary to the Constitution of said state of Utah and contrary to the Constitution of the United States, and that said Reed Smoot comes here not as the accredited representative of the state of Utah in the senate of the United States, but as the choice of the hierarchy which controls the church and has usurped the functions of the state in said state of Utah.

It follows, as a necessary conclusion from these facts, that Mr. Smoot is not entitled to a seat in the senate as a senator from the state of Utah, and your committee reports the following resolution:

Resolved, That Reed Smoot is not entitled to a seat as a senator of the United States from the state of Utah.

[Signed] "J. C. BURROWS."¹⁴

13. For the appointment of Tayler see announcement in *Deseret News*, of January 2nd, 1905.

14. *Smoot Case*, vol. iv, pp. 497-8. The testimony, arguments and final report of the committee make four large volumes of matter aggregating 3,429 pages.

VIEWS OF THE MINORITY OF THE SENATE COMMITTEE

A minority of the senate committee, however, presented views adverse to the findings of the majority. In closing their review of the testimony presented, the minority said:

"The conditions existing in Utah since Reed Smoot became an official of the Mormon church in 1900 have been such that non-Mormons and Mormons alike have acquiesced in polygamous cohabitation on the part of those who married before the Manifesto of 1890, as an evil that could best be gotten rid of by simply tolerating it until in the natural course of events it shall have passed out of existence.

With this disposition prevailing everywhere in the state of Utah among all classes—the Gentile or non-Mormon population as well as among the Mormons—the undersigned are of the opinion that there is no just ground for expelling Senator Smoot or for finding him disqualified to hold the seat he occupies because of the fact that he, in common with all the people of his state, has not made war upon, but has acquiesced in, a condition for which he had no original responsibility. In doing so he has only conformed to what non-Mormons, hostile to his church, as well as Mormons, have concluded is, under all the circumstances, not only the wisest course to pursue, but probably the only course that promises effective and satisfactory results.

[Signed] "J. B. FORAKER,
ALBERT J. BEVERIDGE,
WM. P. DILLINGHAM,
A. J. HOPKINS,
P. O. KNOX."¹⁵

THE COMMITTEE'S REPORT BEFORE THE SENATE

The case was called up in the senate on the 13th of December, 1906, when Senator Dubois, of Idaho, made an exhaustive speech supporting the resolution of the committee, *viz*: "that Reed Smoot was not entitled to a seat as a senator of the United States from the state of Utah." And from thence to the time that the vote was taken upon the resolution—20th of February, 1907—many senators made speeches upon the subject, and Utah affairs were fully discussed through all that time. The resolution reported from the committee of the senate on privileges and elections read:

"*Resolved*: that Reed Smoot is not entitled to a seat as a senator of the United States from the state of Utah."

15. *Ibid*, 505.

Had the vote been taken in the senate upon this resolution in that form, a majority voting would have determined the question. But an amendment was offered by Senator Hopkins of Illinois, making the resolution to read: "Two-thirds of the senators present concurring therein," and on the resolution so amended the vote stood; yeas 28; nays 42; not voting 20. "So the resolution was rejected, two-thirds of the senators present not voting therefor," and Mr. Smoot retained his seat.¹⁶

THE UTAH STATE CONSTITUTION SETTLEMENT OF POLYGAMY SUSTAINED

One thing was demonstrated by this Smoot investigation, *viz*: that the Utah constitutional convention settlement of the Mormon polygamy question was the one that was being adhered to in Utah, *viz.*: that there should be a cessation of polygamous marriages for the future; but that in polygamous families where the plural relations were established previous to the Woodruff Manifesto of 1890, they should not be disturbed by prosecutions under the law. That is to say, as to the latter part of the statement, and to quote the words of the minority members of the senate committee on privileges and election—

"The conditions existing in Utah have been such that non-Mormons and Mormons alike have acquiesced in polygamous cohabitation on the part of those who married before the Manifesto of 1890, as an evil that could best be gotten rid of by simply tolerating it until in the natural course of events it shall have passed out of existence."

ATTEMPTED CIRCUMVENTION OF THE WOODRUFF MANIFESTO

One other thing also was disclosed by this investigation, *viz*: that as to new polygamous marriages, by which is meant such polygamous marriages as had been contracted since the Woodruff Manifesto of 1890, the injunction of said Manifesto had not been strictly adhered to even by some high

16. *Congressional Record*, vol. xli, part 3; for closing the debate and record of the vote see date of 20th Feb., 1907, pp. 3429-30.

officials of the Church of Latter-day Saints and people misled by them. Some gave such an interpretation to the Manifesto as to make it operative within the United States alone, and that plural marriages outside of that national jurisdiction, were not violations of the church inhibition of such marriages. "I have always believed," said Elder John W. Taylor in his letter of resignation as one of the twelve apostles of the church—

"I have always believed that the government of the United States had jurisdiction only within its own boundaries, and that the term 'laws of the land,' in the Manifesto, meant merely the laws of the United States. I find now that this opinion is different to that expressed by the church authorities, who have declared that the prohibition against plural marriages extended to every place and to every part of the church. It is doubtless true that this view of the matter has been given by President Woodruff and others, but I have never taken that as binding upon me or the church, because it [such interpretation] was never presented for adoption by 'common consent' as was the Manifesto itself, and I have disputed its authority as a law or a rule of the church."¹⁷

Elder M. F. Cowley, who with Elder Taylor resigned from the apostolate because of this attitude, and for violation of the Woodruff Manifesto, made a similar statement in his letter of resignation. This erroneous view has already been considered and refuted in a previous chapter.¹⁸

The fact that there were numerous reports in circulation that plural marriages had been entered into contrary to the official declaration of President Woodruff, of 1890, led President Smith at the general conference of April, 1904, to take a stronger attitude upon this subject, declaring that if any officer or member should assume to solemnize or enter into any such marriage, they would be excommunicated from the church.¹⁹

17. See letter dated Oct. 28th, 1905, in *Defense of the Faith and the Saints*, vol. ii, pp. 329-30. Also confirmed by telegram to Mr. Worthington, attorney for Senator Smoot from G. F. Gibbs, secretary of the presidency of the church, proceedings in the *Smoot Case*, vol. iv, p. 441.

18. See chapter clxviii.

19. See *Official Report of the Conference* published by the church for April 3, 4, and 6, 1904, p. 74.

The matter is important and therefore the record of the action is given; President Smith said, introducing the subject:

PRESIDENT JOSEPH F. SMITH'S MANIFESTO AT APRIL ANNUAL
CONFERENCE OF 1904

"I am now going to present a matter to you that is unusual, and I do it because of a conviction which I feel that it is a proper thing for me to do. I have taken the liberty of having written down what I wish to present, in order that I may say to you the exact words which I would like to have conveyed to your ears, that I may not be misunderstood or misquoted. I present this to the conference for your action:

OFFICIAL STATEMENT

Inasmuch as there are numerous reports in circulation that plural marriages have been entered into contrary to the official declaration of President Woodruff, of September 26, 1890, commonly called the Manifesto, which was issued by President Woodruff and adopted by the church at its general conference, October 6, 1890, which forbade any marriages violative of the law of the land, I, Joseph F. Smith, president of the Church of Jesus Christ of Latter-day Saints, do hereby affirm and declare that no such marriages have been solemnized with the sanction, consent, or knowledge of the Church of Jesus Christ of Latter-day Saints; and I hereby announce that all such marriages are prohibited, and if any officer or member of the church shall assume to solemnize or enter into any such marriage he will be deemed in transgression against the church, and will be liable to be dealt with according to the rules and regulations thereof and excommunicated therefrom.

[Signed] "JOSEPH F. SMITH,"

President of the Church of Jesus Christ of Latter-day Saints.

They charge us with being dishonest and untrue to our word. They charge the church with having violated a 'compact,' and all this sort of nonsense. I want to see today whether the Latter-day Saints representing the church in this solemn assembly will not seal these charges as false by their vote."

President Francis M. Lyman, presented the following resolution, and moved its adoption:

RESOLUTION OF ENDORSEMENT

"*Resolved*, That we, the members of the Church of Jesus Christ of Latter-day Saints, in general conference assembled, hereby approve and endorse the statement and declaration of President Joseph F. Smith just made to this conference concerning plural marriages, and will support the courts of the church in enforcements thereof. The resolution was seconded by a number of presidents of stakes and prominent elders.
* * * The resolution was then adopted, by unanimous vote of the conference."

This was followed by an agitation within the church which finally led to the resignation of the two apostles chiefly concerned in the matter of new marriages, Elder John W. Taylor and Matthias F. Cowley, 28th of October, 1905.

CHAPTER CLXXIX

THREE UNITED THINGS: KEARNS ATTACK—THE AMERICAN PARTY—THE MAGAZINE CRUSADE

RUNNING parallel with the Smoot case in Washington before the United States senate, are three other things which, to understand, should be considered together. These are (1) Senator Thomas Kearns' attack upon the Church of the Latter-day Saints, delivered in the senate of the United States; (2) the rise of the "American party" in Salt Lake City, its capture of the municipal government and the control of it through three city administrations in a bitter anti-"Mormon" spirit; (3) the waging of a nation-wide American magazine crusade against the Church of the Latter-day Saints, chiefly by personal attacks upon the administration and the character of President Joseph F. Smith. Two of these things—the capture and administration of Salt Lake City by the "American party;" and the magazine crusade against the Church of the Latter-day Saints, went beyond the continuance of the Smoot case in time, both projecting into the year 1911.

THE KEARNS ATTACK IN THE SENATE

The assault of Senator Thomas Kearns occurred on the 28th day of February, 1905; near the close of the four years' term of service for which he had been elected, following the Democratic *fiasco* of failure to elect a senator two years before his term began. Mr. Kearns' term as senator would end on the fourth of March, 1905, and therefore the speech was made but four days before his retirement from the senate, a sort of parting salvo from a retreating foe.

At the time of the delivery of the speech by Senator Kearns, the senate had pending before it a resolution introduced sometime before by Senator Dubois of Idaho, directing the senate committee on judiciary to prepare and report to

the senate within "thirty days after the beginning of the next session of congress" a joint resolution of the two houses of congress proposing amendments to the Constitution of the United States for the prohibition and punishment of polygamous marriages and plural cohabitation, and requiring an expurgatory oath to be taken by all candidates for office under the Constitution and laws of the United States that they were not and would not be a member or adherent of any organization that would require him to disregard his duty to support and maintain the Constitution and laws of the United States and of the several states.

This resolution, of course, was aimed at and proposed to meet alleged conditions existing in the state of Utah, induced and maintained there supposedly by the Church of the Latter-day Saints. This resolution Senator Kearns called up in the senate chamber, saying, "with hand on heart," that he could not permit the occasion to pass "without saying with brevity and such clearness as he could command, what it seemed to him "should be said by a senator, under these [his] circumstances, before leaving public life." "Something is due to the senate which has honored me," he said. From this viewpoint the senator launched an extended speech supposed to represent conditions in Utah as to the dominance of the industrial, commercial, and especially political life; in Utah by the Church of the Latter-day Saints; or more especially by what was usually called the "hierarchy," denominated by Senator Kearns the "church monarchy;" either term meaning the presiding authorities of the church. The propositions the senator discussed are thus summarized by him near the close of his speech:

THE GENERAL SITUATION (FROM THE KEARNS VIEWPOINT)

"Briefly reviewing the matters which I have offered here, and the logical deductions therefrom, I maintain the following propositions:

We set aside the religion of the Mormon people as sacred from assault.

Outside of religion the Mormons as a community are ruled by a special privileged class, constituting what I call the church monarchy.

This monarchy pledged the country that there would be no more violations of law and no more defiance of the sentiment of the United States regarding polygamy and the plural marriage relation.

This monarchy pledged the United States that it would refrain from controlling its subjects in secular affairs.

Every member of this monarchy is responsible for the system of government and for the acts of the monarchy, since (as shown in the cases of the deposed apostles, Moses Thatcher, and others) the man who is not in accord with the system is dropped from the ruling class.

This monarchy sets up a regal social order within this Republic.

This monarchy monopolizes the business of one commonwealth and is rapidly reaching into others.

This monarchy takes practically all the surplus product of the toil of its subjects for its own purpose, and makes no account to anyone on earth of its immense secret fund.

This monarchy rules all politics in Utah, and is rapidly extending its dominion into other states and territories.

This monarchy permits its favorites to enter into polygamy and to maintain polygamous relations, and it protects them from prosecution by its political power.

Lately no effort has been made to punish any of these people by the local law. On the contrary, the ruling monarch (President Joseph F. Smith) has continued to grow in power, wealth and importance. He sits upon innumerable boards of directors, among others that of the Union Pacific Railway, where he joins upon terms of fraternity with the great financial and transportation magnates of the United States, who hold him in their councils because his power to benefit or to injure their possessions must be taken into account."¹

THE REMEDY

Concluding the speech the senator from Utah discussed "the remedy;" and this was it:

"It is the duty of this great body—the senate of the United States—to serve notice on this church monarch [meaning President Joseph F. Smith] and his apostles that they must live within the law; that the nation is supreme; that the institutions of this country must prevail throughout the land; and that the compact upon which statehood was granted must be preserved inviolate."

THE SENATOR'S PRAYER

"May heaven grant that this may be effective and that the

1. The speech will be found in full in *Congressional Record* for the 58th Congress, vol. 39, part iv, pp. 3608-3613. Also in *Roberts' Defense of the Faith and the Saints*, with an answer thereto, vol. i, pp. 172-248.

church monarchy in Utah may be taught that it must relinquish its grasp.

If * * * the alien monarchy still proves defiant, it will be for others than myself to suggest a course of action consistent with the dignity of the country."

It will be observed that the charges made by Senator Kearns were in large part, identical in substance and spirit with the charges made by the Smoot protestants then before the senate committee on privileges and elections, on which the senate two years later in effect pronounced an adverse judgment, to the contention of the senator from Utah.

NO ANSWER MADE IN THE SENATE TO THE KEARNS SPEECH

No answer was made to the speech of Senator Kearns in the senate, although both his position and he himself were so vulnerable to a counter attack, which would have been on that occasion the best defense, and would have met with entire success. In the course of his speech Senator Kearns claimed that the president of the Church of the Latter-day Saints dominated the election of men to political office; and conceded that his own election to the senate had been made possible by the friendliness of President Snow to his candidacy—albeit, of course, in his own case, the influence which had elected him was "unsought and unbought." And yet, in his speech, the senator affected to despise those means of procuring an election. At one place in that speech he remarked:

"I say to you, my fellow senators, that this place of power is infinitely more magnificent than I dreamed when I first thought of occupying a seat here. But were it thrice as great as I now know it to be, and were I back in that old time of struggle in Utah, when I was seeking for this honor, I would not permit the volunteered friendship of President Snow to bestow upon me, even as an innocent recipient, one atom of the church monarch's favor."

THE AWKWARD POSITION OF SENATOR KEARNS

Yet for four years, by self-confession, Senator Kearns after knowing the means by which he was elected had held

his high office by the alleged grace of the president of the Latter-day Saint Church, this "political monarch" who shamefully and dangerously ruled "all politics in Utah," and was rapidly "extending his dominion into other states and territories." This in all conscience was bad enough to say. But worse is yet to follow; for Senator Kearns is open to the inquiry: If you so despise and denounce the exercise of this "kingly" ecclesiastical power in Utah politics, after four years of office by reason of its favor in your behalf (as alleged) *why did you both by means direct and indirect solicit the exercise of that same influence for your own reelection to another term as senator?* That solicitation for such aid was made was openly charged with the full knowledge of President Joseph F. Smith and with his approval. This charge was made before an audience of two thousand five hundred people, on the 14th of March, 1905, at Provo, Utah, on the occasion of a formal answer being made to the senate speech of Mr. Kearns, *verbatim* reports of which answer were published in the Utah press, both "Mormon" and anti-"Mormon," and finally done permanently into a book under the title of *Defense of the Faith and the Saints*,² This solicitation for the exercise of "church influence" by President Joseph F. Smith, for the reelection of Senator Thomas Kearns was made in the city of Washington, D. C., during the time that President Smith was in that city, before the senate committee on election and privileges to testify in the Smoot case. That would be in the month of March, 1904. Senator Kearns was told when making the solicitation, both when making it directly by himself and indirectly through another, that the president, Joseph F. Smith, "was not in politics." Whereupon, the case seems to be, that Senator Kearns resolved upon a revengeful effort to destroy what he could not use to his own advantage, the Church of

2. Vol. i, pp. 174-248. Here will be found both the senate speech of Mr. Kearns in full and the answer thereto in full. See also *Essentials of Church History*, by Joseph Fielding Smith, 1922, church historian and son of the late President Joseph F. Smith.

the Latter-day Saints—hence the senate speech attack of a year later, just before leaving senatorial life.

AUTHORSHIP OF THE KEARNS SPEECH

Here it should be said that the senate speech of Senator Kearns was not his in fact, either in its conception or its polished composition. For bad as its revealments are, and in the main false, it is constructed by a devilish cunning, and made up of polished sentences and moving tropes—a literary style of which Senator Kearns, being ignorant and untrained in such matters, was utterly incapable. The speech was only his because he adopted it, accepted it from the brain and hand of another, and read it in the senate house. The speech was generally believed to be in conception and composition the work of ex-Senator Frank J. Cannon.³

In the senatorial election of the Utah Republican legislature early in 1905, George Sutherland was chosen to succeed Senator Kearns. He was a gentleman of education, high character, and especially learned in the law, and later was appointed an associate justice on the bench of the supreme court of the United States, a position he still (1930) holds, and worthily holds.

THE RISE OF THE AMERICAN PARTY

In the general election of 1904, and chiefly under the direction of ex-senator, and by now of a long time thoroughly disgruntled, Frank J. Cannon, there had been galvanized into life the old anti-“Mormon” “Liberal” political party, though now named the “American party.” It put a state ticket in the field, but was badly beaten in the tri-party state election, the other parties being the regular national parties of which the Republican party in both state and nation, was successful. Though unsuccessful in the state election of 1904, the American party was hopeful of carrying the municipal election of

3. See the speech in answer to Senator Kearns published in full in *Defense of the Faith and the Saints*, 1905, vol. i, pp. 205-248 where the charge in the text is considered at length.

Salt Lake City in the ensuing year and thoroughly organized its forces to that end. Those forces were propitious to the end desired. There were, first, ex-Senator Frank J. Cannon, defeated in all his political hopes and "big business" aspirations, yet concededly brilliant both in cunning speech and writing. Ex-Senator Kearns was also disappointed in the closing out to him of all future of a high political career by refused reelection, though the party with which he had affiliated had been successful in the recent national and state election. Soon after his election as senator in 1901, he had purchased the *Salt Lake Tribune* of P. H. Lannan. This, doubtless, with the idea of making of it a personal organ of great influence in the state of Utah and perpetuating a long senatorial career. These hopes were thrown into the scrapheap of disappointments when Mr. Kearns failed of reelection to the senate. He was immensely wealthy, however, and a willing spender in the furtherance of those things he desired to attain, and just now he desired nothing so much as dominance in the political affairs of Utah. Hence his willingness to finance the new political party and wreck everything else political in the state. Frank J. Cannon was placed in editorial charge of the *Salt Lake Tribune*, which, because of its prestige already acquired as the most commanding and powerful newspaper of the intermountain west, was capable of influencing and molding the public opinion as to things anti-"Mormon."

There was also as background to these forces the unfolding of alleged conditions in Utah brought to light by the Smoot investigation at Washington, then at its height which would drag on its slow length until February of 1907. It was the supposed disclosures of this investigation, with its alleged general recurrency to the practice of polygamy in Utah, and ecclesiastical interference in political affairs, that was pleaded as justification for calling into existence the American party.

The methods of the campaigning of this party were

sensational and unscrupulous, and such was the state of public opinion in 1905 that at the municipal election in Salt Lake City, the party elected its candidate for mayor and a majority of the city council, but under a new name. Instead of assuming the old title "Liberal" it was to be called the "American party."

The first steps in the matter of effecting an organization were taken on November 7th, 1904, at a time when taking testimony in the Smoot hearings was in full blast.

The announcement of the municipal election victory of the American party the morning following that election was most extravagantly, not to say hysterically, jubilant. The announcement must have exhausted the type font of its organ, the *Salt Lake Tribune*, for display headings and spread-eagle cuts, as for example:

"IN SALT LAKE—AMERICAN PARTY OWNS THE EARTH!" "IT IS A TRIUMPH OF RIGHT." "IT IS A VICTORY FOR THE AMERICAN HOME." "IT SOUNDS THE DEATH KNELL OF CHURCH DOMINATION IN SALT LAKE CITY." "IT MEANS THE RETIREMENT OF THE APOSTOLIC SENATOR, REED SMOOT, FROM THE SENATE OF THE UNITED STATES," etc., etc.; and this in the loudest type were only a few of the headings. A large, American spread-eagle cut across the front page, with scroll in its fierce beak and thunder bolts clutched in its talons, saying, "*I go to spread glad tidings*," was a feature, and indeed it did seem to bring back one echo, at least, of the message of victory. The National Congress of Mothers and National League of Woman's Organizations were at the time in session at the city of Washington, D. C., and on the 8th of November, through the chairman of the United Congress, Mrs. Frederick Schoff, in behalf of the organization wired the following to the *Salt Lake Tribune*:

"Thousands of women of America rejoice in the victory of the American party. May it hold its banner aloft until it gathers into its

ranks every local law-abiding citizen that Utah may be redeemed from the conditions which have aroused the horror and indignation of millions of American citizens. On behalf of womanhood and childhood, for love of home and freedom and our country, we rejoice in your victory."⁴

ANTI-CLIMAX OF THE AMERICAN PARTY FLURRY

All this, it will be remembered, was early in November, 1905. The investigation of Utah affairs—more especially Latter-day Saint Church affairs, not only in Utah, but throughout the intermountain west—had been going on in the Smoot case, before the United States senate committee on privileges and elections for a year, and after two years more of most searching and skillful investigation, then the elaborate report of the findings of the investigating committee was disposed of by action of the United States senate on the 20th of February, 1907. The senate rejected the report of its committee "that Reed Smoot was not entitled to a seat as a senator of the United States from Utah;" and voted that he should retain his seat. As this action of the United States senate was based upon a thorough-going three years investigation of the same state of alleged facts, and conditions on which the American party had based its campaigns, and claims to preferment against opposing parties for control of Salt Lake City and the state of Utah—this United States senate action makes the hysteria and extravagant verbiage over the American party proclaimed victory seem cheap and rawdry; for if the senate's thorough investigation over those parallel years and dealing with the same subject matter in which the American party arose and flourished in political control of Salt Lake City, if the senate found no just warrant for rejecting Reed Smoot on the state of facts presented, neither was there anything in the same state of alleged facts that gave warrant for the resurrection of the anti-"Mormon" political party to capture Salt Lake City, menace Utah with a threat of anti-"Mormon" control, and agitate the whole

4. See *Salt Lake Tribune*, Nov. 8th, 1905.

nation into angry mood and misunderstanding of the Church of Jesus Christ of Latter-day Saints.

TRIUMPH OF GOOD SENSE CITIZENS VICTORY

The American party, however, continued in political control of Salt Lake City through three administrations, from 1905 to 1911, the mayors being Ezra Thompson for the first term, and John S. Bransford for two terms following. In the election for 1911, after a strenuous effort to retain its hold, the American party was overthrown by the "citizens ticket," and at the same election Salt Lake went under the commission system of municipal government, with Samuel G. Park as mayor.

One of the contributing causes of the downfall of the American party control of the city was the announced policy and an effort in its last term of administration to establish a segregated, but strictly regulated, licensed vice district, contemptuously called the "Stockade," in the political campaign in which the American party was overthrown. A large section of the Gentile and Hebrew population of the city, as well as the Latter-day Saints strongly resented this European policy of vice segregation district, and the effort to install it doomed the American party to defeat.

The commission form of government inaugurated with this political victory, consisted of an abandonment of the old form of municipal government by the election of a mayor at large and a city council of aldermen from aldermanic wards or districts, and in lieu thereof the election of commissioners at large among whom are divided the administrative functions of the municipality, tending to a business basis rather than to a political basis of administration.⁵ The adoption of this form of government and the election of Mr. Park, a non-"Mor-

5. *Laws of Utah*, 9th Regular Session of the State of Utah, 1911, chapter 125, p. 224, *et seq.*

For account of the rise of the American party see *Salt Lake Tribune* of December 31st, 1905; also *Salt Lake Tribune* of February 22nd, 1908; also speech by Mr. Joseph Lippman at Salt Lake City in the campaign of 1908, *Salt Lake Tribune*, of October 11th, 1908.

mon," but a thorough business man of high integrity, put an end to anti-"Mormon" political agitation, of which all classes of Salt Lake citizens had become heartily tired.

THE ANTI-CHURCH MAGAZINE ASSAULT

Without any good reason appearing for it, there was waged a bitter American and seemingly systematic magazine warfare against the Church of the Latter-day Saints and more especially against President Joseph F. Smith, and on this same old question of polygamy and polygamous living, and Latter-day Saint Church domination of politics in Salt Lake City and Utah and in the intermountain states.

It could not have been launched in any hope of defeating the reelection of Senator Reed Smoot, though by the opening of this magazine crusade in the later months of 1910 it was clear that he would become a candidate to succeed himself; but the question of the right of a "Mormon" of his status to a seat in the senate of the United States had been so strongly affirmed in the contest over his first term, that no hope could be entertained of unseating him should he be again elected. Besides the magazine crusade was continued long after the nearly unanimous election of Reed Smoot as United States senator from Utah, viz., until April, 1911, and Senator Smoot had been almost unanimously elected by the legislature of January, 1911.⁶

Pearsons led off with three articles, September, October and November, 1910, by Richard Barry, and the editor, Frank J. Cannon, former senator from Utah, and son of the late George Q. Cannon, so long counselor in the first presidency, came next. His first article appeared in *Everybody's Magazine* for December, 1910, and continued through eight numbers of the publication. The article was written

6. The vote was unanimous in the senate and also in the house except for the votes by the two lone Democrats of the house who cast their votes for W. H. King, Democrat. (See *Deseret News*, of Jan. 20th, 1909, p. 5. Also see Utah Election Returns for 1909).

in collaboration with Harvey J. O. Higgins. Next came *McClure's*, with two articles, January and February, 1911, by Burton J. Hendricks, and comments by the editor. The *Cosmopolitan* had two articles, March and April, 1911, by Alfred Henry Lewis. So personal and bitter were these *Cosmopolitan* articles and so viciously illustrated, that the writer defeated his own ends, for they brought the author and the publishers more censure than praise. These magazine articles were the occasion of widespread and generally unfriendly and denunciatory editorials in the daily press of the country, and the church suffered much in her reputation because of this unreasonable crusade.

REACTION OF THE CHURCH TO THE MAGAZINE CRUSADE

To counteract this old warfare in its new phase, the first presidency of the church issued a signed "Address to the Officers and Members of the Church" in general conference assembled, on the 9th of April, 1911, taking note of these magazine articles, denying their statements and deductions, and setting forth the truth in respect of such things as were alleged. The address was adopted and endorsed by unanimous vote of the general conference and given out to the press of the country.⁷

EX-PRESIDENT ROOSEVELT'S DEFENSE OF THE SAINTS

About the same time a letter from ex-President Roosevelt to Mr. Isaac Russel, appeared in *Colliers* (15th of April, 1911), in which the ex-president of the United States gives, without designing to do so, a refutation to many of the charges made against the church both as to new cases of polygamy and alleged political deals with the "Mormon" church leaders. The first he refutes by citing investigations of the government's secret service, during his incumbency

7. The address is published in full in the *Improvement Era* of June, 1911, pp. 719-724.

or the office of president of the United States; and the second by denying the existence of any political deals between himself and the "Mormon" church authorities. Incidentally, too, he bears strong testimony to the virtues of the "Mormon" people.⁸

On the subject of his investigation conducted at that time Mr. Roosevelt said:

"On one occasion a number of charges were made to the administration while I was president about these polygamous marriages in Idaho and Wyoming as well as Utah, it being asserted that a number of our federal officials had been polygamously married. A very thorough and careful investigation was made by the best men in the service into these charges, and they were proved to be without so much as the smallest basis in fact."

Then of the people:

"I have known monogamous 'Mormons' whose standard of domestic life and morality and whose attitude toward the relations of men and women was as high as that of the best citizens of any other creed; indeed, among these 'Mormons' the standard of sexual morality was unusually high. Their children were numerous, healthy, and well brought up; their young men, were less apt than their neighbors to indulge in that course of vicious sexual dissipation so degrading to manhood and so brutal in the degradation it inflicts on women, and they were free from that vice, more destructive to civilization than any other can possibly be, the artificial restriction of families, the practice of sterile marriage; and which ultimately means destruction of the nation."

This magazine crusade of 1910-1911 failed of its purpose, if that purpose was to change the public policy either of the state of Utah or of the "Mormon" church with reference to polygamous living respecting those who had entered that order of marriage previous to the Woodruff Manifesto of 1890. As previously remarked that was a condition rapidly passing into extinction from natural causes—whence now (1930) it has arrived.

It will be observed that throughout all this bitter war-

8. *Colliers*, weekly for April 15th, 1911. The article was reproduced in the *Improvement Era* for June, 1911.

fare of the Smoot investigation, the attack of Mr. Kearns in the senate, in the rise and temporary rule of the American party and the American magazine crusade, all the vituperation and venom of the attack was aimed at President Joseph F. Smith as the earthly head of the ecclesiastical institution known as the Church of Jesus Christ of Latter-day Saints—the church of the New Dispensation. This, one of the penalties of leadership. He bore himself splendidly under the ordeal of attack, saying and doing nothing unseemly or in retaliation, no answering railing with railing or accusation with counter charges; no thought of resorting to violence to stay insult or avenge outrageous misrepresentation. In opening the general conference of the church for October, 1907, he made the following remarks when the assaults were breaking upon him in all their force and fury from all quarters.⁹

“I feel in my heart to forgive all men in the broad sense that God requires of me to forgive all men, and I desire to love my neighbor as myself; and to this extent I bear no malice toward any of the children of my Father. But there are enemies of the work of the Lord, as there were enemies to the Son of God. There are those who speak only evil of the Latter-day Saints. There are those—and they abound largely in our midst, who will shut their eyes to every virtue and to every good thing connected with this latter-day work, and will pour out floods of falsehood and misrepresentation against the people of God. I forgive them for this.”

And yet there was no maudling sentimentality in his attitude; it was no affectation of extreme piety or play-acting at Christian mushy charity. There was a fine reserve of manliness in his gesture. Continuing from where the quotation above ends, he says:

“I leave them in the hands of the just judge. Let him deal with them as seemeth him good, but they are not and cannot become my bosom companions. I cannot condescend to that. While I would not harm a hair of their head, while I would not throw a straw in their path, to hinder them from turning from the error of their way to the

9. *Seventy-eighth Semi-Annual Conference*, pamphlet, Oct. 4-6, 1907, pp. 5, 6.

light of truth; I would as soon think of taking a centipede or a scorpion or any poisonous reptile and putting it into my bosom, as I would think of becoming a companion or an associate of such a man. These are my sentiments, and I believe that they are correct."¹⁰

10. *Ibid.*

CHAPTER CLXXX

AN ERA OF CHURCH PROSPERITY—FREED FROM DEBT— SECURING HISTORIC LANDMARKS

NOTWITHSTANDING the fierce opposition the church experienced during the administration of President Joseph F. Smith, the period was marked by signal progress, and especially material progress.

PRESIDENT SMITH AND FINANCES

This progress was made to the astonishment of many, for President Smith hitherto had not been a man given to the personal accumulation of wealth or even marked interest in community financing. His pursuits had been spiritual; the exposition of the law of personal and community righteousness; his interest had seemed to center in mission expansion and the faithful teaching of the gospel in the organized wards and stakes of Zion. Such material success as had come to him in the rearing of his large family, had come by the practice of rigid economy, the careful avoidance of debt, and the limitation, not to say the suppression, of extravagant notions in his family of costly apparel, rich and too plenteous food supplies, palatial dwellings, gorgeous furnishings, servants, equipage, anything like "station" or worldly grandeur—nothing of all this. The family was mutually helpful to each other at need, and above all, self-helpful.

Thus lived the patriarchal family of this president of the church. So general was this manner of life among the presidents of the church and her leading officials that it may be said to be characteristic of the class; but it was especially so of President Joseph F. Smith and his family. Theirs the simple life preeminently, the misleading and misrepresenting phraseology of Senators Frank J. Cannon, Thomas Kearns, Fred T. Dubois, Senator Burrows *et al*, and their anti-"Mormon" copyists of the daily press, magazine writers and cheap

sensational book compilers, all these to the contrary notwithstanding; and their assigning to President Smith of "kingly, autocratic power," "Mormon monarch," "princely income," extending into millions annually, wrenching from the lowly as well as from the rich of the communities and indirectly from the Gentiles as well as from the saints, their hard earnings, etc., etc., was reckless accusation and misrepresentation.¹

It is true, however, that President Smith through his long years of service as counselor in the first presidency, through the administrations of Presidents John Taylor, Wilford Woodruff and Lorenzo Snow, had been in close contact with the necessarily large financial community affairs and schooled—albeit unnoticed and perhaps unconsciously to himself—in community financiering. At any rate the church prospered materially beyond expectation during his administration.

THE POLICY

In the first place, he maintained the urge especially began in President Snow's administration of the faithful payment of tithing; and the proceeds from this urge were faithfully applied on the payment of the indebtedness of the church and the strengthening of her financial standing generally.

It has already been stated that in the administration of President Lorenzo Snow, as part of his plan to relieve the church from the financial difficulties in which he found it, there was issued and sold—chiefly to her own members—\$1,000,000.00 in bonds. The bond issue provided for a sinking fund each year from the date of issue until sufficient should be accumulated for its redemption. The payments to this fund were religiously observed, \$50,000.00 being paid into it the first year following the sale—1900; and in the second year \$100,000. This gave good earnest that the bond

1. See speech of Kearns of February 28th, 1905, in the senate chamber; also the speeches of many senators *passim* in the senate debate in the *Smoot Case*, the articles of the American magazine crusade, *Under the Prophet in Utah*, by Frank J. Cannon and Harvey J. O'Higgins, and nearly all anti-"Mormon" writers.

issue, from the first a matter of deep concern, as a new venture in church financiering, would be met on schedule time. The full record of the bond issue, including payments into the sinking fund was as follows:

MEMORANDA RELATIVE CHURCH BOND ISSUE

Bonds were issued January 1, 1899: (Class A and B.)

Amount of bonds \$1,000,000.00.

All bonds were sold during 1899.

\$500,000 were redeemed December 31, 1903.

\$500,000 were redeemed December 31, 1906.

Payments by the church to the sinking fund were as follows:

1900	-----	\$ 50,000
1901	-----	100,000
1902	-----	100,000
1903	-----	350,000
1904	-----	50,000
1905	-----	143,000
1906	-----	207,000

\$1,000,000²

THE LAW OF TITHING—ITS SUFFICIENCY

Meantime the membership of the church continuing to respond to the impetus of more faithful payment of their tithing, imparted to the church by the word of the Lord through President Snow on that subject, and the years immediately following being prosperous years, not only was the bonded indebtedness cleared up on schedule time but other church obligations were met. The increasing expenditures in the building program of the church in the matter of church schools, church stake houses and ward chapels and mission headquarters buildings; and these not only in the stakes of Zion, but also in the various missions of the United States and in foreign lands. Also enlarged expenditures in missionary work were met, payment of the homeward fare of returning missionaries from their respective fields of labor—now became a fixed policy of the church; and the care of the enlarging number of the worthy poor in the church was con-

2. Data supplied from the presidency's office, Mr. Arthur Winter, secretary, Salt Lake City, January 29th, 1930.

tinued. Notwithstanding this payment of the bond issue, and meeting the constantly enlarging expenditures of the church, President Joseph F. Smith was able in his opening speech at the April general conference of the church in 1907, to say:

"Today the Church of Jesus Christ of Latter-day Saints owes not a dollar that it cannot pay at once. At last we are in a position to pay as we go. We do not have to borrow any more, and we won't have to if the Latter-day Saints continue to live their religion and observe the law of tithing. It is the law of revenue of the church. Furthermore, I want to say to you, we may not be able to reach it right away, but we expect to see the day when we will not have to ask you for a single dollar of donation for any purpose except that which you volunteer to give of your own accord, because we will have sufficient in the storehouse of the Lord to pay everything that is needful for the advancement of the kingdom of God. That is the true policy, the true purpose of the Lord in the management of the affairs of his church."³

That is to say, the tithing of the church, when faithfully paid by the church membership is intended and will be sufficient to meet every financial requirement of the organization in its legitimate work.

THE VISIT OF PRESIDENT SMITH TO THE EUROPEAN MISSIONS

The previous year to this favorable report of the financial status of the church (1906) President Smith in company with his personal friend, Charles W. Nibley, presiding bishop of the church, made a tour of a great part of Europe, during which he visited all the missions of the church in that land and met publicly with the saints and elders of those missions, making them happy by his presence, and by his doctrinal and admonitory teaching. It was the first time that a president of the church had ever visited Europe in this capacity as the president of the whole church of God, and it could not be otherwise than that his presence would be a benediction to the saints and his ministrations a joy long

3. Remarks of President Joseph F. Smith at the general annual conference of the church, April 5th, 1907, *Report of Conference Proceedings*, pamphlet, pp. 5-6.

to be cherished by those who received them. At one of the meetings at Rotterdam, a lad, John Roethoff by name, eleven years of age, and who was blind, received his sight through the administration of President Smith.

THE MISFORTUNE OF MISREPRESENTATION

For many years the Church of the Latter-day Saints suffered from vicious misrepresentations from those into whose hands the tourist traffic of the city and of the territory fell. These, of course, were chiefly the drivers of the hotel hacks of the city. Salt Lake City being the headquarters of the so-called "Mormon church" and the center of all the lurid tales that had accumulated with the passing years concerning the strange people and their stranger faith, meeting the tourist traffic of the city was a fine opportunity to regale the visitors with those stories that would strike and hold their attention, and make their sojourn in the city and territory thrill with excitement. And where the tame and unemotional facts were not sufficient to achieve this end, the cheap inventive imagination of irresponsible hack drivers supplied the deficiency, and tourists of pre-Temple Square Bureau of Information days went away literally loaded with misinformation that deepened their prejudices and clouded their judgments against a people already and greatly misunderstood. To correct this evil of injustice, the Temple Square Bureau of Information was established. Its general purpose was expressed in the motto adopted from the slogan of Elder John Taylor carried at the head of his *The Mormon*, published in New York, 1855-7, as noted in previous pages, viz.,

*To Correct Mis-Representation, We Adopt
Self-Representation*

Hence the Temple Square Bureau of Information now developed into the Temple Square Mission of the Church of Jesus Christ of Latter-day Saints.

FOUNDING OF THE BUREAU OF INFORMATION

The original idea of this movement and its development came about in the following manner: Though the matter of meeting this evil of misrepresentation of the Church of the Latter-day Saints to tourist visitors to Salt Lake City, and that some sort of an organization to that end be effected was agitated in the closing months of President Snow's administration, no really effective steps were taken in the movement until early in the administration of President Joseph F. Smith, March 6, 1902. On that date the first presidency considered the question in their regular meeting and had read the several communications that had accumulated from the general board of the Young Men's Mutual Improvement Associations and from the first council of seventy, both organizations having interested themselves in consideration of the matter, and making reports and recommendations to the first presidency on the subject. From the far away Philippine Islands there came a voice upon this subject, in the form of a letter from Major Richard W. Young of the Utah Batteries, serving after the close of the Spanish-American War, as one of the judges of the superior court of the Philippine Islands, urging that a mission and Bureau of Information be established in Salt Lake City to give information to tourists.⁴ This letter, bearing date of the 26th of February, 1902, had been addressed to the first council of seventy, Elder Young himself at the time being a seventy. This letter was sent to the first presidency and was acted upon by them at their meeting on the date above given, March 6, 1902, by first counselor, John R. Winder, moving that Elder Young's letter be "referred back to the seventies with the request that they look into the matter and act upon the suggestion themselves, as they may deem advisable; also

4. Major Young afterwards entered the service of the United States in the World War, being appointed by the governor of the state of Utah, colonel of the 145th Field Artillery (1st Utah), which regiment went to France. Colonel Young (a graduate of West Point, by the way) was advanced to the office of brigadier general, 65th brigade, of the 40th division.

that they consider the matter of organizing a Bureau of Information for the purpose of imparting correct information to tourists. The motion was seconded and carried."⁵

THE FIRST BUREAU OF INFORMATION BUILDING

So commissioned the first council of the seventy proceeded to arrange through a committee appointed from its own number to secure the erection on the Temple Square grounds of a small octagonal building, twenty feet across and placed directly opposite the south gates. All this, of course, with full cooperation of all those who had previously manifested interest in the undertaking, the Young Men's General Board, with committees from the quorum of the twelve apostles, and individuals, with frequent reference of their work to the first presidency and the latter's approval of it as it progressively developed. When completed the first humble building of this really great undertaking cost less than \$600.00. The first council appointed the following committee to take immediate charge of the work proposed, Elders Benjamin Goddard, Thomas Hull, Arnold Schulthess and Josiah Burrows, and the Bureau of Information began its career.⁶ It has performed a noble mission for the church, and has been raised in its title and its work to the dignity of one of the most important missions of the church in the United States. At present it is presided over by Elder Levi Edgar Young of the first council of the seventy, and a great grandson of Joseph Young, brother of Brigham Young, Utah's great Pioneer. Elder Young is a graduate of Harvard and connected also with the teaching faculty of Utah University.

THE VOLUME OF WORK ACHIEVED

The work accomplished by this so happily conceived

5. Minutes of the Meeting of the First Presidency, of March 6th, 1902.

6. An account of the origin and development of the Bureau of Information is given in the *Improvement Era* for December, 1921, by Edward H. Anderson, editor of the *Era* at that time, pp. 131-139.



VIEW OF EAST HALF OF THE TEMPLE SQUARE
Looking due north, and near the first encampment of the
Pioneers on City Creek. State Capitol in
the right distance

Bureau and Mission since it was founded twenty-eight years ago, the literature distributed amounts to millions of tracts and books setting forth the history, doctrines, purposes and achievements of the Church of Jesus Christ of Latter-day Saints; while its own missionaries, called into the unselfish service of the church on Temple Square have come into personal contact with many hundreds of thousands of tourists and others visiting Salt Lake City, who have received at first hand, through the Bureau, information and enlightenment from authoritatively appointed representatives of the church. The value of this work on Temple Square as a means of presenting the message of the New Dispensation to the world, especially when the character of the people to whom it is delivered is considered, is beyond measurement. The truth of all this and the volume of the work done will be apparent from a recent report of the president of the Bureau and Temple Square Mission, covering the year 1929:

"During the past five years, the number of visitors has been at least 200,000 annually, and during the year 1929, the number was possibly or nearer 250,000. People come from all over the world. In one party of seventy one day in August last, nine nations were represented, and fourteen distinct religious sects. The visitors always manifest a great interest in the buildings and the great organ; and listen attentively to the words of the missionary guides. The tabernacle square is a place of beauty, for the flower garden and lawns are always well kept; and the trees of many varieties add to the beauty of the grounds. The buildings and monuments are of the greatest interest however. The gull monument—and there is hardly a visitor but what has heard about the story of how the gulls saved the crops in the spring of 1848. The mathematical proportions of the tabernacle and the classical style of the temple are noticed, and Dallin's Angel Moroni is the subject of many questions. There are the life-sized monuments of Joseph and Hyrum Smith by Mahonri Young; and near them the monument to the three witnesses of the *Book of Mormon*, a creation of Arvad Fairbanks.

The church museum is open to the visitors daily, and recently, many of the rare specimens were described in a lengthy report of one of the officials of the British museum. Hardly a day passes but what some distinguished character visits the mission. For example, within the past year the mission has entertained Dr. F. Murai, head of the school of foreign languages of Tokyo, Japan; Dr. Edwin Deller of the

University of London; Dr. Oscar Hartmann of the University of Berlin; Dr. Alva Silva of Rio Janeiro who is head of the National Museum of Brazil; Edouard Champion, celebrated French scholar and author; Dr. Herbert Szamatolski, correspondent of the Buenos Aires Herald; Jean C. de Strelecki, Central European Press Syndicate, Paris; Dr. Victor Madsen, director of Denmark's Geological Survey; Ann Tizia Leitich, correspondent of the *Neue Frei Presse*, Vienna; Dr. Alfred B. Rendle of the British museum; Mr. Eric Swene of the *Swenska Dagebladt*, Stockholm; Captain Gilbert Frankau of London, celebrated British author; Sir Henry J. Wood of London; Dr. Hugo Paltsits, chief of Manuscripts, New York Public Library; Mme Grace Wistler, Prima Donna, Metropolitan Opera House. These are just a few of the many notable people who have visited the Bureau of Information during the past few months.

Many letters come from all over the world to the Bureau asking for information and articles on 'Mormonism' and Utah."

It will be remembered that part of this Temple Square Mission is the daily organ recital at 12 noon in the great tabernacle; and also the tourist half-hour preaching service united with the recital every first Sunday in the month, the universal fast day of the church.

THE PURCHASE OF OLD HISTORIC LANDMARKS

Early in his administration President Smith's mind seemed to turn in the direction of having the church acquire ownership of some of the old landmarks connected with the early historical events of the church.

CARTHAGE JAIL

The first of these places to be purchased was Carthage Jail, Carthage, Illinois, the scene of the martyrdom of his own father, Hyrum Smith, and his uncle, the Prophet Joseph Smith. This purchase was made by President Smith's direction on November 5, 1903. The purchase included two acres of ground and the purchase price was \$4,000.00. The old jail building, while all its parts remain, has been slightly remodeled exteriorly, to conform to the appearance of a cottage dwelling. It is in the custody of a church caretaker.



THE JOSEPH SMITH MEMORIAL MONUMENT

At Sharon, Vermont, the Prophet's birthplace; unveiled and
dedicated on the one hundredth anniversary
of his birth

THE SMITH FARM NEAR PALMYRA

The old Smith Farm of one hundred acres in Manchester township, but near Palmyra, New York, which constituted the homestead of the Smith family during the period in which the Prophet of the New Dispensation received his first vision, also the visitations of the Angel Moroni, which led to the bringing forth and publishing of the *Book of Mormon*, and the organization of the church (albeit the earlier log house when these first visions occurred has been replaced by the present neat farm house), was purchased for the church from W. A. Chapman and wife, June 10, 1907, through George A. Smith, and title conveyed by himself and wife to the presiding bishop of the church December 7, 1916. The farm is kept up and cultivated by a caretaker for the church.

JOSEPH SMITH MEMORIAL IN VERMONT

By four separate conveyances of land, purchased under the direction of President Joseph F. Smith, the first made the 21st of May, 1905, and the last made in August, 1907, the Mack homestead in Sharon township, Windsor county, Vermont, and some adjoining lands were purchased for the church, amounting in all to 283 acres. Thus was secured to the church the homestead and some adjoining parcels of land of the maternal progenitors of the Prophet of the New Dispensation, the site of the humble farm house in which the Prophet was born. On this site a neat modern Memorial Cottage has been built, and very near by to it on a crowning hilltop has been erected an imposing Memorial Monument to the Prophet Joseph Smith, of Vermont polished granite, a steel engraving of which, with accompanying descriptive matter is published in this chapter.

The Cottage and Memorial shaft occupy a low rise of ground in the center of a somewhat irregular circular basin in the hill country of beautiful Vermont, removed a small distance northward from the valley of the White river,

famous for the ever changing beauty of its windings. Seen from any one of the commanding heights of the rise of hills, which form the rim of the basin, Memorial Cottage and Monument erected to the sacred memory of the great Prophet of the New Dispensation, takes on the appearance of a proper jewel in a fitting environment of hills everlasting.

The conception and worked-out idea of Memorial Cottage and Monument, under the direction of President Joseph F. Smith, of course, is the work of Elder Junius F. Wells, son of Daniel H. Wells, close Nauvoo friend of the Prophet Joseph Smith, even before he became a member of the New Dispensation church.

Memorial Cottage and Monument were completed by December, 1905, and preparation was made for the dedication of the Monument on the one hundredth anniversary of the Prophet's birth, December 23, 1905. Accordingly a company of twenty-five prominent church officials and members went from Salt Lake City by special car, making the winter journey to be present at the simple yet impressive ceremonies of dedication, as to be directed by President Joseph F. Smith. On that occasion, and to which there was a fairly good attendance of the people from the countryside, no effort whatever was made to exploit the unveiling of the Monument as a publicity event to the advantage of the church.⁷

HYRUM SMITH'S MONUMENT

Some years later, *viz.*, 1918, the church through the presiding authorities, erected also a fitting Monument to the memory of Hyrum Smith, brother and fellow martyr with the Prophet of the New Dispensation, and the second presiding Patriarch to the church. This Monument also was built under the immediate supervision of Elder Junius F. Wells. The Monument to the memory of the Patriarch

7. The names of the officers and members who went from Utah to attend the unveiling and dedication service are given in Jenson's *Church Chronology*, under date of 23rd of December, 1905, p. 25.

in its general lines follows the base blocks and polished shaft of the Prophet's Memorial, the height, however, being but one-half that of the Prophet's, and it is but one-fourth the weight and bulk of the Vermont Monument.

The facts in the life and character of the Patriarch are elaborately set forth on the monument—too elaborately to be restated here, but on the north side of the monument is the inscription die on which is the following:

"Hyrum Smith from 1820 was among the first converts of his brother, Joseph, the prophet.

He was one of the Eight Witnesses of the Book of Mormon; one of the six members to organize the Church of Jesus Christ of Latter-day Saints, April sixth, 1830; one of the first to proclaim and practice all its principles. * * *

He was the constant companion and confidant of his brother Joseph in joy and sorrow, throughout their lives. They suffered martyrdom together, sealing their testimony with their blood, and their bodies were buried side by side at Nauvoo.

In life they were united, in death they were not parted."

The Monument, which is of dark Barre, Vermont granite shipped to Utah, stands in the west part of the Salt Lake City Cemetery, on the burial lot of President Joseph F. Smith, his son; and the ceremony of unveiling under the direction of the presiding bishopric of the church, took place precisely at the hour of the anniversary of the martyrdom, 5:20 p. m., June 27, 1918, seventy-four years after that sad event. The ceremonies were held chiefly in the presence of the leading general authorities of the church and the numerous descendants of the Patriarch who numbered about six hundred at that time. His son, Joseph Fielding Smith, though in feeble health, was present and mustered the strength to make a brief address chiefly of appreciation of what had been done to perpetuate the memory of his father with that of the Prophet of the New Dispensation.⁸

8. For full account of the dedicatory services and description of the Monument, see *Deseret News* of June 28th, 1918; and the August number of the *Improvement Era*, 1918.

PURCHASE OF LAND AT INDEPENDENCE, MISSOURI—ZION

In this period of acquisition of old landmarks a purchase of land was made in Independence, Jackson county, Missouri, the center place of "Zion," so prominent in the thought of the early decades of the century of the New Dispensation. This purchase was made by the direction of President Joseph F. Smith on April 14, 1904. The tract consists of twenty-five acres, being a portion of the original sixty-three acres acquired for the church by Bishop Edward Partridge in 1831, and of which the Temple Lot, dedicated by the Prophet Joseph Smith on the 3rd of August, 1831, as a site for the temple of the Lord in "Zion," in these last days, was part. The twenty-five acres purchased in 1904 lies adjacent to this temple lot. The tract was bought of Mrs. Maggie Swope. This was followed by more land purchases later, nine more, during President Smith's administration, at a total cost of all ten purchases of \$64,450.00. Three purchases have been made since at a total cost of \$11,474.53. A purchase of land by the church was also made in 1909 at Far West, Missouri, which includes the temple site at that place dedicated by a number of the twelve apostles—seven all told, a majority—on the 26th of April, 1839, agreeably to an appointment made for them by the Lord previous to their departure upon a mission to foreign lands.⁹

In 1907, by direction of President Smith the headquarters of the Central States Mission (a group of states previously known as the Southwestern States Mission) moved its headquarters from St. Louis to Independence, then and now (1930) presided over by Elder Samuel O. Bennion. In 1914 a mission chapel was erected in Independence, and in 1917 a suitable mission home was built as a place of residence for the president of the mission. Church buildings have also been purchased or built in Kansas City and

9. See *History of the Church*, Period i, vol. iii, chapter xxii.

St. Louis. A printing plant and publishing company was founded at Independence under the name of "Zion's Printing and Publishing Company," which church publishing house has printed and sent out through the various missions of the United States (nine missions in all, the Canadian and Mexican missions not counted) millions of copies of tracts, pamphlets and books. It is reported by the president of the Central States Mission, also in charge and in the management of this publishing establishment, that within the last ten years a quarter of a million of the missionary edition of the *Book of Mormon* (retailed at the price of fifty cents per copy) have been printed and sold from this publishing house.¹⁰ All this respecting the activities of the church in "Zion," the center place thereof, for "Zion" has not been removed out of her place, neither will be,¹¹ all which activities may represent preliminary steps to the final redemption of this center place of the empire of the Christ in the New World, the Zion of God, the New Jerusalem of the *Book of Mormon* prophecies.¹²

GENERAL STATUS OF THE CHURCH AFTER FOURTEEN YEARS OF PRESIDENT SMITH'S ADMINISTRATION

These items and activities of the church and her leaders represent the development and prosperity of the church in what may be considered one of the stormy periods through which she passed, by reason of the vicious assaults made upon her by her enemies. After fourteen years of his administration, President Smith could say, and did say, in his opening address at the general conference of the church, in April, 1915:

STATISTICS

"There never has been a time, at least within my remembrance, when the church was in a better condition, spiritually and temporally than it is today. I do not believe that there has ever been a time when the organizations of the various quorums of the priesthood were

10. See article in *Improvement Era*, for May, 1928 by S. O. Bennion, president of the mission, pp. 563-566.

11. *Doctrine and Covenants*, sec. xc:37 and *Ibid*, sec. ci:17.

12. *Book of Mormon*, *Ether*, chapter xiii.

more nearly perfect or more diligent than they are at present; or when the stakes of Zion were more properly guarded, and their interests watched, by those who are presiding over them, than they are today. I believe that our general and auxiliary organizations of the church, also the standard organizations of the priesthood are performing their duty quite as well now, and I think somewhat better, than at any previous period of the church's history. Not only does this apply to those members who are called to act in responsible positions, but it applies to those who may be termed 'lay members;' if we may use such a term with reference to members of the Church of Jesus Christ of Latter-day Saints."

There has been a net increase in the membership of the church in the stakes of Zion from the year 1901 to 1914 of 129,493 souls. Of the membership of the church residing in the stakes of Zion, 319,000 were born in the United States.

There are 74,432 families in the organized stakes of Zion. Our record shows that 73 per cent of all the Latter-day Saint families, residing in all the stakes of Zion, own their own homes. I am sorry that this figure is not as large as it has been in the past, but we have become more numerous than we were when 95 per cent of the people of the church owned their own little homes and owed nothing to anybody for them.

There are now 739 wards and 33 independent branches.

There are 68 stakes of Zion and 21 missions.

During the year 1914, 21 new stakes of Zion were organized.

The birth rate of the church was 39.5 to the thousand.

The death rate was 8.3 to the thousand.

The marriage rate was 17 to the thousand.

During the year there were 14,717 children blessed.

There were 1,316 elders and 115 women laboring in the missions as missionaries.

The work in the temples has been the largest on record. There have been performed in the temples during the year 166,909 baptisms for the living and dead, and 72,952 endowments for the living and dead. Altogether 326,264 ordinances have been performed in the four temples. This is a very considerable increase over any previous year."

TYPICAL DISTRIBUTION OF CHURCH TITHING

The following part of the president's report will show how the tithing of the church for the year 1914 was disbursed and the general manner in which it had always been disbursed—i. e. typical of all other years:

For the erection and maintenance of stake tabernacles, ward meeting houses, amusement halls and other stake and ward expenses	\$730,960.00
For the maintenance of church schools	330,984.00
For the maintenance of our temples	64,508.00

For the erection of mission houses and general mission activities, and return fares of missionaries.....	227,900.00
For the maintenance of church buildings and church institutions, including the Temple Block and the Presiding Bishop's Office	99,293.00
For the completion and maintenance of the Latter-day Saints Hospital (Salt Lake City)	136,727.00
For the erection of the Cardston (Canada) temple	52,647.00
For the erection of the new Church Office Building	128,663.00
Paid to the worthy poor out of the tithing funds	116,238.00
Total	\$1,887,920.00

This is the entire tithing of the church in all the world for the year 1914.

The expenses of the general authorities and the maintenance of the office of the first presidency are paid out of revenues derived from investments, and not out of the tithes of the church.

DISBURSEMENTS TO THE POOR FOR 1914—FROM FEMALE RELIEF SOCIETIES AND FAST OFFERINGS

In addition to the amount paid out of the tithes to the poor	\$116,238.00
There has been collected and paid to the poor by the Relief Society	74,290.00
And there has been paid to the poor by the bishops from the fast offerings and other ward charity funds	76,000.00
Making a total paid to the poor of	\$266,528.00
There has been collected for the war sufferers, which is being expended under the direction of President Hyrum M. Smith, of the European Mission	\$33,000.00 ¹³

This statement for that year, and the distribution of the tithes for that year, since the methods of distribution and the items on which the expenditures are placed are but typical of other years that preceded and followed it, constitute a complete refutation of the false charges that have been recklessly made that the tithes of the church are gathered by the president of the church and expended to minister to his personal advantage, maintain him in luxury, and personal gratified splendor.

TEMPLE SITES DEDICATED

During President Smith's administration he dedicated

13. See Minutes of the Conference published in *Deseret News*, April 4th, 1915.

two temple sites, both of which were outside of the United States. The first of these was dedicated at Cardston, province of Alberta, Canada, July 27, 1913. The other at Laie, on the beautiful island of Oahu, a northern island of the Hawaiian group, which group was the scene of the early missionary experiences of President Smith. A plantation at Laie, thirty-two miles north of Honolulu, originally consisting of 6,500 acres, had been purchased for the church by Elder Francis A. Hammond, in 1865, and ever since has been the headquarters of the Hawaiian Mission and the gathering place for the native Latter-day Saints of the Hawaiian group of islands. It was a site chosen at Laie that President Smith dedicated for a temple (since built) on the 1st of June, 1915. One can scarcely repress regrets that President Smith's life was not preserved to bring the capstone of these temples to their place with rejoicing, and witness the dedication of them, and especially this one at his beloved Hawaii—"Pearls of the Pacific," where as a youth—not yet out of his teens—he first preached the gospel as an elder in the New Dispensation.

CHAPTER CLXXXI

"THE ADDRESS OF THE CHURCH TO THE WORLD"

AT the general conference of the church following the settlement of the Smoot case by favorable action of the senate, Feb. 20th, 1907, the church issued an "Address to the World," submitted to the conference by the presidency, and adopted by unanimous vote on the 5th of April, 1907, in which were discussed the whole mission and attitude of the church, and especially its attitude with reference to the questions at issue in the recent period of agitation,—1903-1907—*viz.*, polygamy, church dominance of the state, and ecclesiastical dictation in political matters. Relative to the first the Address declared that the Latter-day Saints had bowed in respectful submission to the laws and constitutional provisions affecting plural marriages. "If it be urged," said the Address, that there have been "instances of the violation of the anti-polygamy laws, and that some persons within the church have sought to evade the rule adopted by her prohibiting plural marriages, the plain answer is that in every state and nation there are individuals who violate law in spite of all the vigilance that can be exercised; but it does not follow that the integrity of a community or of a state is destroyed because of such individual transgressions. * * * When all the circumstances are weighed, the wonder is, not that there have been sporadic cases of plural marriages, but that such cases have been so few. It should be remembered that a religious conviction existed among the people holding this order of marriage to be divinely sanctioned. Little wonder then that there should appear, in a community as large as that of the Latter-day Saints, and as sincere, a few overzealous individuals who refused to submit even to the action of the church in such a matter, or that these few should find others who sympathized with their views; the number, however, is small.

"Those who refer to 'Mormon polygamy' as a menace to the American home, or as a serious factor in American problems, make themselves ridiculous. So far as plural marriage is concerned, the question is settled. The problem of polygamous living among our people is rapidly solving itself. It is a matter of record that in 1890, when the Manifesto was issued, there were 2,451 plural families; in nine years this number had been reduced to 1,543. Four years later the number was 897; and many of these have since passed away."¹

POLITICAL ATTITUDE OF THE CHURCH

With reference to the subject of church dominance of the state, and of ecclesiastical interference with the affairs of the state, the Address said:

"The Church of Jesus Christ of Latter-day Saints holds to the doctrine of the separation of church and state; the non-interference of church authority in political matters; and the absolute freedom and independence of the individual in the performance of his political duties. *If, at any time, there has been conduct at variance with this doctrine, it has been in violation of the well settled principles and policy of the church.*

We declare that from principle and policy, we favor:

The absolute separation of church and state;

No domination of the state by the church;

No state interference with the functions of the church; or with the free exercise of religion:

The absolute freedom of the individual from the domination of ecclesiastical authority in political affairs;

The equality of all churches before the law.

The reaffirmation of this doctrine and policy, however, is predicated upon the express understanding that politics in the states where our people reside, shall be conducted as in other parts of the Union; that there shall be no interference by the state with the church, nor with the free exercise of religion."

THE SPIRIT OF THE "ADDRESS TO THE WORLD"

The Address was conceived and written in a conciliatory spirit, and was intended to form the basis of a right understanding of the attitude of the Church of the Latter-day Saints with reference to her whole mission and message to

1. The Address will be found complete in *Defense of the Faith and the Saints*, vol. ii, pp. 237-254.

the world, and especially with reference to the questions that had been immediately at issue in the recent controversy.

"In the hope of correcting misrepresentation," the Address began, "and of establishing a more perfect understanding respecting ourselves and our religion, we the officers and members of the Church of Jesus Christ of Latter-day Saints in general conference assembled, issue this declaration."

"Such an action," the Address continued, "seems imperative. Never were our principles or our purposes more widely misrepresented, more seriously misunderstood. Our doctrines are distorted, the sacred ordinances of our religion ridiculed, our Christianity questioned, our history falsified, our character traduced, and our course of conduct as a people reprobated and condemned.

In answer to the charges made against us, for ourselves and for those who, under divine direction, founded our religion and our church; for our posterity, to whom we shall transmit the faith, and into whose keeping we shall give the church of Christ; and before mankind, whose opinions we respect, we solemnly declare the truth to be:"

Then follows a full statement in respect of all these matters, concluding with—"Our motives are not selfish or earth bound; we contemplate the human race, past, present and to come as immortal beings, for whose salvation it is our mission to labor, and to this work, broad as eternity, and deep as the love of God, we devote ourselves, now and forever, Amen."

The Address was signed by the first presidency and adopted unanimously by the church in conference assembled, in Salt Lake City, on the 5th day of April, 1907.²

SALT LAKE MINISTERIAL ASSOCIATION'S REVIEW OF THE ADDRESS

And now the manner in which that Address was received by the Ministerial Association of Salt Lake City of which there were thirty-three members, "and by which the Review of it was adopted as a unit." The Review appeared in the *Salt Lake Tribune* of June 4, 1907; and was preceded by a

2. The document will be found complete in *Defense of the Faith and the Saints*, vol. ii, pp. 237-254, and in the April Conference Minutes of that year.

flourishing announcement of its appearing and substance and approval.

Dealing with the manner of the construction of the document, the announcement of it said:

"Within a few days after the publishing of the Mormon Address to the World, a movement was started in the association [Ministerial] looking to a reply to the so-called Address. Among the ministers the document put forth by the Mormon church was considered in the light of a suppression rather than a confession of Mormon faith, and so most misleading. With the end in view of a reply to the falsified, juggled and deceiving Address, a number of papers were prepared and submitted to the association by several different members. These papers were placed into the hands of the committee, selected by the association for that purpose, which threw them into the form of a report. The report was discussed thoroughly at several different meetings of the association and every member was given an opportunity of suggesting changes, presenting his ideas on the subject for incorporation in the reply, or registering an objection to it. As before stated, there was not a dissenting voice or vote against the reply, the adoption being unanimous."

Then follows, in the announcement of the Review, the enumeration of all the churches whose pastors had been prominent in the creation of it. It included all the churches of the city and their pastors, excepting the Roman Catholic church, which, in harmony with its general policy in such matters, stood aloof in the controversy. Not only did the *Tribune* give prominence to a fulsome heralding of the Review, but accorded to it hearty editorial approval.

"This Review is calm, deliberate, and temperate in tone; but it is irresistible in force, in logic, and in conclusion. It will, of course, be warmly welcomed and approved by the loyal citizenship of Utah, while to the country at large it will be a good deal in the nature of a revelation.

* * * The evasions, the publicity, the hypocrisy, the dishonesty, of the conference declaration [L. D. S.] are completely shown in masterly style. The repeated but half-hearted efforts of the church leaders to make the world believe in their patriotism, their piety, their unselfishness, their benevolence, their purity, when they do not believe these things of themselves, knowing their own corruption, treason, blasphemy and corroding selfishness, avarice, lusts of power, and of the flesh, are fitly dealt with in this admirable Review, which we cannot too highly commend for its spirit and its substance."

Such the thundering in the index of the Review,—as this introduction to it may be regarded—and the Review itself in the matter of its distrust of the motives and sincerity of the Latter-day Saint leaders and people, if not in its vituperative epithets, lives up to this editorial characterization of it.

The closing member of its labored closing sentences is:

“Until the practices of the present leaders of the Mormon church are radically changed there can be no peace between them and pure Christianity; and that until the doctrines of the church are radically modified it can never establish a claim to be even a part of the Church of Jesus Christ.”³

Five days after the publication of the Review, namely, on the 9th of June, the annual conference of the Mutual Improvement Associations of the Latter-day Saint Church came on—a conference of all the young people from every section of the church territory, and second only in importance to the general annual and semi-annual conferences of the church itself. It afforded a most suitable opportunity for taking note of this Ministerial Review of the church’s “Address to the World;” and accordingly arrangements were made for an “Answer” to be made to it before this young people’s conference. Two entire sessions of the conference, one on the Sunday afternoon and the other in the evening. The speaker making the answer at both meetings was Elder B. H. Roberts. In concluding the printed “Answer” to the “Review” the speaker said:

“I know that the people of Utah know, that this agitation (by the Ministerial Association in their ‘Review’) is unjust; conceived in spite and vengeance; brought forth by malice, and nurtured by hate. No conditions existing in Utah justify it. The specters that are conjured up from the vasty deep to give warrant to this unseemingly agitation are but foul creations of diseased minds, phantoms of disordered imaginations.”

The address reviewing the reviewers was immediately

3. The full announcement of the Review and the Review itself will be found in *Defense of the Faith and the Saints*, vol. ii, pp. 257-288; and in *Salt Lake Tribune* of the 4th of June, 1907.

published and steps taken for as wide a circulation of it as possible. It was decided to publish it in full in the organ of the Young Men's Mutual Improvement Associations, the *Improvement Era*, since the answer had been made at the Improvement Association Conference. Before publishing the answer, however, the *Era* publishers wrote the Ministerial Association a polite note informing them of the intention of the *Era* and saying that a number of gentlemen of Salt Lake City had asked the magazine to publish in full the Answer of Mr. Roberts, and that the publishers had agreed to do so if the said gentlemen would guarantee one-half the cost of publication. This the gentlemen agreed to do. And now in a spirit of fairness the *Era* editors submitted to the Ministerial Association the offer also to publish in the same number of the magazine the Ministerial Association's "Review of the Latter-day Saint Church's Address to the World," if they would pay one-half the cost of publishing it (\$250.00); their Review to immediately precede Elder Roberts' "Answer." The editor's letter to the association pointed to the fact that the *Era* had over 10,000 subscribers, therefore 70,000 readers; that it would reach "every settlement in the intermountain country, from Canada to Mexico;" that it was placed in some of the prominent libraries of the United States and Europe, and in addition to all this 1,700 free copies were sent to "various parts of the world wherever the Church of the Latter-day Saints had missionaries laboring." The offer was declined, as the association had "arranged already for a wider circulation than your offer contemplates," wrote the president of the association, Rev. Sal A. Hayworth. And the association was expecting the *Deseret News*, organ of the "Mormon" church, to publish their Review, which would, of course, give it local circulation. On this the *Era* editors remarked:

"Whatever may be the real expectation of the Ministerial Association as to their 'Review' being published by the *News*, we believe the

gentlemen composing that organization have missed a very fine opportunity for securing the circulation of their document, in refusing the proposition of the *Era*. The terms were certainly fair, * * * it is a matter for astonishment that it [the proposition] was not accepted.”⁴

This much is revealed by the tender of this proposition to the Ministerial Association to publish their “Review” in connection with the “Answer” to the same; *viz.*, the church had no dread of the circulation of the “Review” among their own people, the “Answer” going with it.

The “Answer” was published in the July *Era*; and later the author in his second volume of the *Defense of the Faith and the Saints*, published together the church’s “Address to the World,” the “Ministerial Review” of that “Address,” and his own “Answer” to the “Review.”⁵

What became of the “Review,” what use the Ministerial Association made of it, after the “Answer” was made to it, is not known. It was not heard of, and certainly it had no influence in effecting any change in the affairs of the Church of the Latter-day Saints. As usual the church thrived on opposition to it. It still remains true: men “can do nothing against the truth, but for the truth.”⁶

4. *Improvement Era* for July, 1907, pp. 743-4, where the correspondence is given in full.

5. *Defense of the Faith and the Saints*, vol. ii, pp. 229-363.

6. *II Corinthians* xiii:8.

CHAPTER CLXXXII

THE WORLD WAR AND THE LATTER-DAY SAINTS AS CITIZENS OF THE UNITED STATES

IT WAS in 1914 that the World's War threw its awful shadows athwart the world's peace. The outburst of it was sudden; and yet the nations of Europe had long been in actual preparation for it. When the fateful hour struck in those hectic days of the last of July and early August, 1914, which marked its beginning, it found all Europe an armed camp, needing only that "red battle stamp his foot," for nations to feel the shock of war. That signal was given and the nations rushed to war—thirty-one of them, in the final reckoning of all that directly participated in it; and all nations were affected by it.

NOT THE PLACE FOR A WAR TREATISE

This is not the place for anything like a treatise of that war, its causes, the responsibility for it, the awful results of it—the still lingering evil effects of it as time with its slow pace withdraws the nations from its torn and far-flung battlefields and wrecked empires. A very limited summary respecting the number of nations entering into the war, the number in the armies that confronted each other—fifty-nine millions of men mobilized—together with the awful casualties, directly and indirectly that resulted from it—nearly seventeen millions of deaths in all!—have already been stated in a previous chapter when considering the "war to be poured out upon all nations" prophetically, and those items need not be repeated here.¹ At a few points, however, the church of the New Dispensation touches this World War, and these must be noted.

1. See this *History*, chapter xxiv. It should be observed that both here, and in the previous chapter referred to, the statement of casualties given as numbering nearly 17,000,000 refers to deaths only—military and civilian—not to the wounded or missing casualties. A tabulated report of all casualties of the World's War and a proper classification of them, as nearly official as may be had will be found in *Note 1* end of this chapter.

THE RELATION OF PROPHECY TO THE WAR EVENT

It is written in scripture that God will do nothing but he revealeth his secrets to his servants, the prophets,² and the question arises, could a calamity so large as to affect all nations so tremendously as this World War did, and the secret of it not be made known to God's prophets? I take it that this thought of the Hebrew prophet has in mind the things God permits in his economy, as well as those things of which he is the direct cause. It may be repulsive to one to regard God as the direct cause and author of this World War; but there can be no doubt but that he permitted it, let the cause of it lie where it may; as also he permits many events to come to pass among men, calamitous events, too; but can it be that such events are permitted in God's economy of things, and especially such tremendous events as this World War, and God give no warning of them through his servants the prophets? Well, we have seen in the previous brief treatise on this subject that the Lord was mindful to warn the world of the coming wars through his servant, the Prophet of this age, Joseph Smith. This Prophet sounded a note of warning in general on the subject of coming wars by saying in a preface³ that was to accompany the first edition of *The Covenants and Commandments* of God with his church in this New Dispensation, and which has since been published in all editions of the *Doctrine and Covenants* as God's preface to his *Book of Commandments*; and on the subject of war, this preface said:⁴

"Wherefore the voice of the Lord is unto the ends of the earth, that all that will hear may hear;

Prepare ye, prepare ye for that which is to come, for the Lord is nigh;

And the anger of the Lord is kindled, and his sword is bathed in heaven, and it shall fall upon the inhabitants of the earth.

2. "Surely the Lord God will do nothing, but he revealeth his secrets unto his servants the prophets. * * * The Lord hath spoken, who can but prophesy?" (*Amos* iii:7-8).

3. This Preface was written November, 1831.

4. *Doctrine and Covenants*, sec. i:ii-15.

And the arm of the Lord shall be revealed; and the day cometh that they who will not hear the voice of the Lord, neither the voice of his servants, neither give heed to the words of the prophets and apostles, shall be cut off from among the people;

For they have strayed from mine ordinances, and have broken mine everlasting covenant."

Previous to this, however, the Lord had said to the Prophet, January 2, 1831:

"Ye hear of wars in far countries, and ye say that there will soon be great wars in far countries, but ye know not the hearts of men in your own land;

I tell you these things because of your prayers; wherefore, treasure up wisdom in your bosoms, lest the wickedness of men reveal these things unto you by their wickedness, in a manner which shall speak in your ears with a voice louder than that which shall shake the earth; but if ye are prepared ye shall not fear."

And shortly afterwards, March 7, 1831, the Lord said to his Prophet:⁵

"Ye hear of wars in foreign lands; but, behold, I say unto you, they are nigh, even at your doors, and not many years hence ye shall hear of wars in your own lands."⁶

Then came the revelation on war of December 25, 1832, with its details of the war between the states of the north and of the south, with its prediction that it would "terminate in the death and misery of many souls," and including also the prediction that *when* Great Britain should call upon other nations, in order to defend herself against other nations, *then* war would be "poured out upon all nations."

"And thus, with the sword and by bloodshed the inhabitants of the earth shall mourn; and with famine, and plague, and earthquake, and the thunder of heaven, and the fierce and vivid lightning also, shall the inhabitants of the earth be made to feel the wrath and indignation, and chastening hand of an Almighty God, until the consummation decreed hath made a full end of all nations;

That the cry of the saints, and of the blood of the saints, shall

5. *Doctrine and Covenants*, sec. xxxviii:29-30.

6. *Ibid*, sec. xlv:63.

cease to come up into the ears of the Lord of Sabaoth, from the earth, to be avenged of their enemies."⁷

WAR TREND PREDICTION

This was a very bold prediction to make concerning "war to be poured out upon all nations;" and quite at variance with the views of many of the "learned" and "wise-men" of the world, and "would-be-prophets" as the hour drew near for the commencement, at least, of the fulfillment of these predictions of the Prophet of the New Dispensation. Previous to the outbreak of the World War, and for some-time previous to that, the trend of modern war forecast, if not war prophecy, was against the idea of the occurrence of international war.

TENNYSON ON WAR

Tennyson had written eloquently in his early manhood⁸ on a coming world-crash of war. In his vision he heard the heavens filled with shouting from the nations' air navies "grappling in the central blue;" saw the standards of the peoples plunging through the thunderstorm; then saw the time come "when the war drums throbbed no longer, and the battle flags were furled in the parliament of men, in a federation of the world." Where the common sense of most nations would hold a restless realm in awe, and "the kindly earth should slumber lapt in universal law." But sixty years later when the poet was eighty, he somewhat doubted this hopeful view of the ultimate peace of the world. "Earth at last a warless world!" He exclaims at eighty—

"Warless? When her tens are thousands, and her thousands millions,
then—

All her harvest all too narrow—who can fancy warless men?

Warless? War will die out late then? Will it ever? Late or soon?

Can it, till this outworn earth be dead as yon dead world the moon?"

7. *Doctrine and Covenants*, sec. lxxxvii and this *History*, ch. xxiv. And Note 1 at the end of this chapter.

8. *Locksley Hall*, from which Tennyson's Vision is condensed.

A little earlier in the poem Tennyson had said—referring to his earlier state of mind—

“ ‘Forward,’ rang the voices then, and of the many mine was one,
Let us hush this cry of ‘Forward’ till ten thousand years have gone.”

Since he speaks on both sides, Tennyson may be accounted one of the equivocal prophets, and counts neither way; though we may hope that his younger vision may become some statesman’s realization.

EUROPE’S CONFIDENCE OF PEACE

As far back as the great London International Exposition, 1859, such was supposed to be the benign effects of this international, friendly emulation and peaceful rivalry of the nations, that the war spirit of the world would be destroyed by it. Of such claims made for it at the time our own General Hugh L. Scott, chief of the American army staff in 1914, speaking when the world war was under way, declared himself a witness of such expressed hopes in 1859.

Again in 1868 when the crowned heads of Europe were gathered in celebration of the Paris International Exposition, the American civil war recently closed, and the Prussian-Austrian struggle just then finished, on all sides it was heard that European nations had seen their last great war. Carayon-la-Tour often related that his father, a French general, strongly advised him in 1868 not to enter the army, as the army would no longer offer a career. Carayon-la-Tour did not follow this advise, and distinguished himself in the Franco-German War of 1871.

DAVID STARR JORDAN ON PEACE

Only two or three years before the outbreak of the World War, Dr. David Starr Jordan of the University of California, in his work *War and Waste* ventured this as prophecy:

“What shall we say of the ‘Great War of Europe,’ ever threatening,

ever impending, and which never comes? *We shall say it never will come.* Humanly speaking, it is impossible. * * * All Europe cherishes is ready for the burning, yet Europe recoils and will recoil, even in the dread stress of spoil division of the Balkan War."⁹

JOSEPH SMITH ON WORLD WAR

Against this direct prediction of peace and abolishment of international war, against this whole pre-World War trend of prophecy, I place for contrast the solemn prophecy of World War expressly uttered by the Prophet of the New Dispensation and ask judgment:

"And thus, with the sword and by bloodshed the inhabitants of the earth shall mourn; and with famine, and plague, and earthquake, and the thunder of heaven, and the fierce and vivid lightning also, shall the inhabitants of the earth be made to feel the wrath, and indignation, and chastening hand of an Almighty God, until the consumption decreed hath made a full end of all nations;

That the cry of the saints, and of the blood of the saints, shall cease to come up into the ears of the Lord of Sabaoth, from the earth, to be avenged of their enemies."¹⁰

And now, in the light of the tremendous and awful events of the World War, who spoke the truth, these learned prophets of the world who cried "peace, peace," when there was no peace? or the Prophet of the New Dispensation who warned the world with the coming of dreadful wars previous to the glorious coming of the Son of Man? And the end may not even now have been reached; for the Son of Man, the resurrected Christ, has not yet come.

SUCCESSIVE FULFILLMENT OF WAR PROPHECY

The "wars in their own lands," spoken of to the disciples of Joseph Smith in his revelations, began, of course, first in the war with Mexico of 1846-8; and, second, in the war between the states of the American Union, or Civil War, 1861-1865, treated somewhat at length in Volume I,

9. *War and Waste*; also for most of the above see an article in the *New York Sun* of December 10th, 1914, when the World War had been in progress four months.

10. *Doctrine and Covenants*, sec. lxxxvii, given December 25th, 1832.

Chapter xxiv, this *History*, and need not detain us here. Then the "war in foreign lands," noted in these revelations, began with the Franco-Prussian War of 1870-71; and other petty wars, followed by the World War in 1914, with the general results well known to the public mind of the present generation. Whether this World War marks the end of that "great World War period which makes an end of all nations" as they were, and has brought in a new period of national and international life, wherein permanent international peace and good will shall abide, which is our hope, and will in God's good time usher in the promised reign of "peace on earth good will to man"—one may not say. The prophecy here under consideration holds forth that this "war to be poured out upon all nations," is to be the final settling of accounts with a world guilty of offenses against the righteousness of God, and the injustice done to his people in latter ages. The purpose of this predicted universal war is expressed in the terms of it as being that the "cry of the saints and that the blood of the saints shall cease to come up into the ears of the God of Sabaoth, from the earth, to be avenged of their enemies." Whether or not the account of the world has found full settlement in this awful war of four years durance, 1914-1918, or whether there is yet further world penalty to be paid for a world's injustice toward God's righteousness and his righteous people through the ages—his saints and his prophets, belongs not to my province to say; but in the item of international war, let us hope that the end has come, and that nation will not again lift up sword against nation, neither learn war any more.¹¹

PRESIDENT ABRAHAM LINCOLN ON THE JUDGMENT OF WAR

It is a very fine conception of, and a very fine working out in thought of a principle involving some of the same elements to those that enter into the question proposed here

11. For a somewhat technical treatment of the matter of this verse, see *ante* this *History*, chapter xxiv.

that President Abraham Lincoln gave to his countrymen in his second Inaugural Address on the 4th of March, 1865. Referring to the Union army's progress in the war, upon which then all depended; concerning which, however, though entertaining high hope for the future, President Lincoln would venture no prediction, then he said:

"Both [i. e. parties to the Civil War dispute] read the same *Bible* and pray to the same God, and each invokes his aid against the other. It may seem strange that any man should dare to ask a just God's assistance in wringing their bread from the sweat of other men's faces; but let us judge not, that we be not judged. The prayers of both could not be answered. That of neither has been answered fully. The Almighty has his own purposes. * * * 'It must needs be that offenses come, but woe to that man by whom the offense cometh.'

If we shall suppose that American slavery is one of those offenses which, in the providence of God, must needs come, but which having continted through his appointed time, he now wills to remove, and that he gives to both North and South this terrible war, as the 'woe' due to those by whom the offense came, shall we discern therein any departure from those Divine attributes which the believers in a living God always ascribe to him? Fondly do we hope, fervently do we pray, that this mighty scourge of war may speedily pass away.

Yet if God wills that it continue until all the wealth piled up by the bondsman's two hundred and fifty years of unrequited toil shall be sunk, and until every drop of blood drawn with the lash shall be paid by another drawn with the sword, as was said three thousand years ago, so still it must be said that 'the judgments of the Lord are true and righteous altogether'."¹²

So in this issue forced upon us by contemplation of the World's War, and whether or not it has been sufficient for that particular "woe" of war that has come upon the nations for the world's injustice practiced towards God's saints from the days of Messiah's crucifixion to the last martyr—whether it is sufficient, so that "the cry of the saints and the blood of the saints shall cease to come up into the ears of the God of Sabaoth to be avenged of their enemies"—on that I venture no prediction. Or whether the World's War with its dreadful results was a sufficient "woe" to completely and finally consecrate the nations to an universal adherence to

12. *Messages and Papers of the Presidents*, vol. vi, p. 277.

the principle of liberty, so that indeed the world shall be "safe for democracy," in which liberty alone the world can finally rest in peace; whether the World War has been sufficient to create that state of mind among the nations, so that they will practice international justice, and lead to the beating of their swords into plow shares and their spears into pruning hooks—or lead to the reduction of their armies and navies—and the nations learn war no more—on all that I shall venture no prediction. The Almighty has his own purposes to achieve and he will attain them. In the spirit of Mr. Lincoln's thought let us fondly hope and fervently pray that the mighty "woe" and scourge of international war has forever passed away, and that the dawn of international justice and peace has come to the world. But if God wills that war shall be repeated until all the injustice and cruelty practiced upon his saints and prophets in derogation of their rights and liberties during all the ages from the times of the Christ until now, and unrequited by any just retribution—so it must be until the lesson is sufficiently taught, and unrequited justice satisfied. If it could be said by the Christ to the generation of men among whom he wrought—and it was, as witness the following—

"Fill ye up then the measure of your fathers,

Ye serpents, ye generation of vipers, how can ye escape the damnation of hell?

Wherefore, behold, I send unto you prophets, and wise men, and scribes; and some of them ye shall kill and crucify; and some of them shall ye scourge in your synagogues, and persecute them from city to city;

That upon you may come all the righteous blood shed upon the earth, from the blood of righteous Abel unto the blood of Zacharias son of Barachias, whom ye slew between the temple and the altar—

Verily I say unto you, *All these things shall come upon this generation.*"¹³

THE WORLD MUST LEARN ITS LESSON IN THE "WOE" OF WAR

If this represents the announcement of a Divine decree, and the accumulated "woe" that must come upon some gen-

13. Matt. xxiii:32-36.

eration when the account is to be settled, then it may be that not even the World's War with all its horrors has settled in full the accumulated account of the world's injustice towards the righteous; and it may be that God will still permit the possibility of war to continue, and the recurrence of it to happen, until it is apparent beyond all doubt that the world's debt to justice for cruel and unnecessary employment of scaffolds and racks and gibbets and dungeons and martyrdoms and religious wars has been wholly paid.

And also if the world has not yet learned the full value of liberty, and the necessity of founding civil governments upon the basis of the right of the people to self-government, and has not yet learned the inherent and also the God-given right of men to live, to be free, to pursue happiness, and that to this end governments are instituted among men, deriving their just powers from the consent of the governed,—then it must be that the necessary employment of war-force, involving even the using of fleets and armies and villainous saltpeter, in all its forms, must continue until men shall know the value of liberty, and peacefully submit to her principles and give all hail to her unrestrained righteous reign. Nor shall men because of the continuance of those things until the attainment of the high purposes in the mind of God—the establishment of perfect justice and liberty for men, and the vindication of the ways of God to man, say other of God than that “the judgments of the Lord are true, and righteous altogether.”¹⁴

The church of the New Dispensation, then, and its first great Prophet, Joseph Smith, have a relationship to this World War; the relationship of prophecy to the event; and if that war is not the winding up scene to international wars, and the full end of nations founded upon the old basis, and brought over to the new foundations of liberty for men

14. “The law of the Lord is perfect. * * * The statutes of the Lord are right
* * * The judgments of the Lord are true and righteous altogether.” (*Psalms xix*).

and for national life, then it is for the people of God's church to do what they are admonished to do in the revelation on war—

“Stand ye in holy places and be not moved, until the day of the Lord come; for behold it cometh quickly, saith the Lord.”¹⁵

THE COURSE OF GERMANY TOWARDS NEUTRAL NATIONS

The membership of the Church of Jesus Christ of Latter-day Saints also have another relationship to the World War; the relationship of citizens of one of the nations finally involved in the war, the United States of America.

On the outbreak of the war in Europe, 1914, the president of the United States issued a proclamation of strict, not to say severe, neutrality; and throughout sought to maintain it, notwithstanding many provocative actions on the part of Germany that threatened to disrupt it. President Wilson, however, persisted in the policy of strict neutrality, and when the presidential election of 1916 came on, the chief slogan that made appeal to the American people was “*He kept us out of the war.*” And Mr. Wilson's party won the election.

The election over, however, it began to be more apparent that the United States would be compelled to enter the war against imperial Germany, and the president who had stood so stoutly for the maintenance of strict neutrality, must lead his people into a state of preparedness for war. This he did, notwithstanding his desire for the non-participation of the United States in the constantly expanding world conflict. The chief offense—not by any means the only one—of the imperial German empire against the United States was its frightful pursuit of its submarine warfare, which leveled its efforts at non-combatant ships, neutral shipping, of all classes; as well passenger ships as goods-carrying vessels. This led to the destruction of American lives while the people killed were in the peaceful and lawful pursuit of business

15. *Doctrine and Covenants*, sec. lxxxvii.

and pleasure; and denied to the United States the commercial rights of a free and neutral nation.

Of this particular offense on the part of imperial Germany, President Wilson in his war address to the congress of the United States (2nd April, 1917) respecting the new policy Germany had announced after a brief and what proved to be a temporary suspension of some of the most atrocious features of submarine warfare, said:

"The new policy has swept every restriction aside. Vessels of every kind, whatever their flag, their character, their cargo, their destination, their errand, have been ruthlessly sent to the bottom without warning and without thought of help or mercy for those on board, the vessels of friendly neutrals along with those of belligerents."

A declaration of the existence of a state of war between the United States and imperial Germany under such circumstances, and the entrance of the United States into the World War on the side of the allies against Germany was inevitable, and it came; the United States, through the president and congress, declared a state of war to exist between the United States and imperial Germany, the declaration bearing date of April 6, 1917.

THE SAINTS' RELATIONSHIP OF SERVICE IN THE WAR

This brought to the membership of the Church of the Latter-day Saints the relationship of service in the World War; and being chiefly gathered into one of the states of the Union, and constituting the large majority of the population of that state, Utah, it made their participation in, and their relationship of service in the war, unique.

Fortunately, the high plane on which the United States entered the war made it easy for even the saints to sustain the relationship of service to it without violence to their consciences. This high plane was indicated by President Wilson in his address to congress on the war:

THE ISSUES AND PURPOSES OF THE UNITED STATES ENTRANCE INTO THE WAR—WILSON

"We are now about to accept the gauge of battle with this natural

foe to liberty; and shall, if necessary, spend the whole force of the nation to check and nullify its pretensions and its power. We are glad, now that we see the facts with no veil of false pretense about them, to fight thus for the ultimate peace of the world and for the liberation of its peoples, the German peoples included; for the rights of nations great and small and the privilege of men everywhere to choose their way of life and of obedience. The world must be made safe for democracy. Its policy must be planted upon the trusted foundations of political liberty.

We have no selfish ends to serve. We desire no conquest, no dominion. We seek no indemnities for ourselves, no material compensation for the sacrifices we shall freely make. We are but one of the champions of the rights of mankind. We shall be satisfied when those rights have been made as secure as the faith and the freedom of the nations can make them. * * *

It is a distressing and oppressive duty, gentlemen of the congress, which I have performed in thus addressing you. There are, it may be, many months of fiery trial and sacrifice ahead of us. It is a fearful thing to lead this great peaceful country into war, into the most terrible and disastrous of all wars, civilization itself seeming to be in the balance. But the right is more precious than peace, and we shall fight for the things which we have always carried nearest our hearts—for democracy, for the right of those who submit to authority to have a voice in their own governments, for the rights and liberties of small nations, for a universal dominion of right by such a concert of free peoples as shall bring peace and safety to all nations and make the world itself at last free."¹⁶

Entering the war under these circumstances, in such spirit, and for such purposes, could not be other than discharging a patriotic duty: and therefore the relationship of service to the World War, now that the United States had by her constituted authorities declared it, could be no other than acceptable to the membership of the Church of the Latter-day Saints, as citizens of the United States, and heartily they responded to their duty.

THE UNIQUE POSITION OF THE LATTER-DAY SAINTS AND THEIR CHURCH TO THE WAR

As before stated, the position of the Latter-day Saints, constituting as they did the large majority of the population of the state of Utah, gave them a unique position in respect of their reactions to the war proclamation of the United

16. *War Message of President Wilson to Congress, of April 2nd, 1917.*

States government, since what the state of Utah did, and the spirit in which she did it, would, in a large way, reflect their spirit revealed in their action. Had Utah as a state acted reluctantly, or had she failed in any respect to proceed as the other states of the Union and as the whole nation did, the reluctance and failure would have been chargeable to the Latter-day Saints.¹⁷ *Per contra*, Utah's promptness in action and the spirit in which she did her part would reflect the patriotism, the intensity of the Americanism of the same people.

Here let it be understood that Latter-day Saints may not claim superiority over the non-members of their church in Utah or elsewhere in the expression of patriotism in the relationship of service to this World War; their non-"Mormon" fellow citizens in Utah and elsewhere in no respect fell behind the Latter-day Saints in patriotism, and therefore share in full measure in the glory which is Utah's in her World War record. I state above, however, what is the simple fact, that had Utah failed as a state in filling up the full measure of her duty, the people with the solidarity of church membership possessed by the Latter-day Saints considered, and being so largely in the majority, would have been held—and justly—responsible for any delinquency in duty of the state. If, on the other hand, the state reacts to duty faithfully and well, it reflects the patriotism of her people carrying such responsibility; but this without disparagement to the patriotism and full measure of credit due to the non-membership of that dominant church.

UTAH'S RECORD IN THE WORLD WAR

And what is Utah's record in the war, carrying with it the implications as to the spirit of her people as manifested in that record? It will appear in the following condensed report of her war responses:

17. The population of Utah at this time was more than two-thirds Latter-day Saints, (See *Second Report of the State Bureau of Immigration, Labor and Statistics*, 1914).

MAN POWER ENLISTMENT

<i>Army:</i>	Quota asked for	746 men
	Furnished	2,344 men
<i>Marines:</i>	Quota asked for	126 men
	Furnished	346 men
<i>Navy:</i>	No quota: Utah and Southern Idaho (latter largely L. D. S. population)	641 men
Utah also furnished one regiment of field artillery and one field hospital company		1,500 men
The above was the record for 1917. Utah's total enlistment for the war was:		
	Army	20,872
	Navy	3,510
	Total	24,382

This out of a total population of less than 500,000 people, 449,446 to be exact. Of this enlisted number 544 paid the supreme sacrifice; 489 in the army and 55 in the navy.

Two Utah men held distinguished positions at the headquarters of the American Army in France throughout the war. These were General Briant H. Wells, and General Frank T. Hines. Briant H. Wells was of the regular army, graduate of West Point and son of Daniel H. Wells of "Utah Echo Canon War" fame. He was chiefly stationed at General Pershing's headquarters in France, and was the liason officer between General Bliss of the American chief of staff, General Pershing, and the commander of all the allied forces, General Foch. Since the close of the war, through the promotions observed in the regular army, Brigadier General Wells has risen to the rank of Major General.

The second Utah man prominent at the American headquarters of the expeditionary forces, General Frank T. Hines, was connected with the transportation of troops to France, and now holds the rank of brigadier general, and since the war has served acceptably for seven years as director of the Veterans Bureau.

UTAH PROVIDING SINEWS OF WAR—RED CROSS AND LIBERTY LOAN
APPORTIONMENTS AND RESPONSES

Red Cross—apportionment	\$ 350,000
Raised	520,000
First Liberty Loan—apportionment	6,500,000
Amount subscribed	9,400,000
Second Liberty Loan—minimum apportionment	10,000,000
Amount subscribed	16,200,000
Soldiers' Welfare Fund, including Y. M. C. A. and Train- ing Camp:	
Recreation Fund—apportionment	100,000
Amount raised	105,000
Red Cross Membership Campaign:	
Allotment	60,000 members
Subscribers	66,000 members
Asked	\$17,100,000
Given	26,291,000
The Third Liberty Loan drive in 1918 was equally successful, as the following figures will show:	
Third Liberty Loan—apportionment	\$10,315,000
Raised	12,553,000

Utah was the fifth state in the United States to complete its allotment, and the amount raised represented 78,000 subscribers, or one bond for every five men, women and children in Utah.

UTAH'S MILITARY UNIT IN THE WAR—145TH FIELD ARTILLERY,
(1ST UTAH)

Another state incident contributed to the completeness of Utah's full measure of duty in the World's War—which she would not have done all in this war that some of the other states did had she neglected to do the thing here referred to—namely, the raising of a volunteer military unit to bear the name of the state throughout the war. This, however, her people did not neglect, but raised a volunteer artillery regiment, the 145th Field Artillery (1st Utah), such its official United States Army designation. It was made part of the 65th brigade of the 40th division of the United States Army overseas.

The nucleus of this regiment of volunteers was found in the fragments of pre-existing military state organizations, inspired by the spirit that came with the recollection of their high service to their country. When the Spanish-American

War broke out in 1898, the Utah Batteries, A and B, volunteer units, were organized for service in the Philippines, and also a company of cavalry for the same service, though this company of cavalry never reached the Philippines, it went into service on the American Pacific coast. The two batteries, however, went to the Philippine Islands where they rendered invaluable aid to the country and brought high honors to the state from which they were enlisted, and made up largely of members of the "Mormon" church. The Utah United States senator, Reed Smoot, upon the floor of the senate chamber, in 1927, was able to say of these batteries:

RECORD OF THE UTAH BATTERIES

"The reports of the commanding general have an oft-repeated expression:

As usual, the Utah battery did most excellent service.

A high meed of praise has been given to all those army organizations which fought successfully through the Philippine campaign, and it was well deserved. Like the organizations from other states, the Utah Light Artillery had its losses. The frequent official report was:

These casualties occurred while serving their guns."

All Utah was proud of the record of the Utah Batteries. Judge C. C. Goodwin, long time editor of the *Salt Lake Tribune*, non-"Mormon," and often anti-"Mormon," wrote of these batteries:

"The necessities of the war made them ubiquitous; they were everywhere, on river, on land; and when a stronghold was to be stormed, their guns first cleared the way, until, in an army where all were heroes, the men of Utah made for themselves a conspicuous name. They earned it, for they never retreated, never lost a battle or a flag, never started for the foe that they did not scatter it as the wind scatters the chaff from the threshing floor. When their terms of enlistment expired they fought on, week after week, until their places could be supplied. The record of the volunteers is nowhere dimmed. They went away boys; they returned men. They made for themselves great names, and by their deeds exalted the name of their state. They have won for themselves an appreciative people's gratitude, a nation's praise."

UTAH'S MEXICAN BORDER CAVALRY TROOPS

During the Mexican border troubles of 1916, Utah

sent other military volunteers into the United States Army service; these consisted of 1 and 2 squads of cavalry entering the service on the 4th and 9th of July, respectively, 1916. These did effective patrol service along the Mexican border in the vicinity of Nogales, on the Arizona and Mexican line. These cavalry squads were mustered out of service, one on November 10, 1916, the other on the 8th of March, 1917; both returned to Utah where they disbanded.

It was the fragments of these Utah military units—from the Utah batteries of Philippine Island fame, and these Mexican border cavalry squads that formed the nucleus of the Utah military unit of the 145th F. A. (1st Utah), which bore the name of the state of Utah throughout the World War, and made it possible for the “Mormon” state of Utah to be conscious of the fact, and to be proud of it, that the state of Utah did everything that any other state of the Union did in military activity, and in all other activities that contributed to the war movements of the United States in the World War; and which could not have been the case had this volunteer unit not been organized, for other states sent such volunteer units into the war.

UTAH'S MILITARY UNITS IN WARS OFFICIALLY CONNECTED

The 145th F. A. (1st Utah), organized under the authority of the National Guard laws of Utah, was completed early in August, 1917, as a state unit and taken over into the United States Army for service in the World War on the 5th of August, 1917; and later, *viz.*, on the 10th of October, 1917, the regiment left Camp Douglas, Utah, for Camp Kearney, California, where it was made part of the 40th Division of the United States Army, Major General F. S. Strong commanding, and went into intensive training for overseas service.

In June, 1918, six hundred of the membership of the regiment were taken as replacement troops and sent to France to be stationed along the battle front in other military units.

These were replaced in the 145th by men of the selected draft, from Camp Lewis, Washington, chiefly, however, by men from Idaho and Colorado.

One unique thing about this Utah regiment was that it was so nearly recruited from one religious body that of its varying membership ranging at different times—officers and men—from thirteen hundred to fifteen hundred, the overwhelming majority were members of the Church of the Latter-day Saints. And notwithstanding the six hundred members of the organization taken for replacement troops in June and sent to France, and these replaced by troops from Camp Lewis, the “Mormon” membership of the regiment remained practically constant throughout the war at about one thousand, so that the 145th F. A., (1st Utah) came nearly to being a “Mormon” regiment.

After what seemed to the regiment a long delay, the unit was ordered to France with the 40th division. The regiment did not reach the immediate battle front, but was under orders to move to the front when the Armistice was signed on the 11th of November, 1918. The regiment returned to America in a body, under its own Utah officers, and was mustered out of service at Logan, Utah, 21st to the 28th of January, 1919. It was thence reorganized as units 1 in 1919-1921; redesignated 145th F. A., remaining now (1930) a state military unit, bearing the World War title. The war department of the United States by official order has linked together all these military units of the state of Utah with the Mormon Battalion furnished from the moving camps of the Latter-day Saints *en route* for the Great Basin, in 1846, and this with the pre-existing Nauvoo Legion (though not “definitely established”) organized at Nauvoo, Illinois, 1841, under the act of Illinois legislature. A certified copy of this war department order, with a list and description of the insignia granted the respective units will be found in Note 2, end of chapter.

DESCENDANTS OF THE MORMON BATTALION IN THE 145TH
FIELD ARTILLERY (1ST UTAH)

It is an item worthy of note that this Utah military unit, bearing the name of the state and now linked up by order of the war department with the Mormon Battalion and Nauvoo Legion, had in its membership while in training at Camp Kearney, twenty-three direct descendants—grandsons and great grandsons—of members of the Mormon Battalion. Seventeen of these descendants the chaplain of the regiment marched from Camp Kearney, with the consent of the colonel, to the camp ground of their sires at Old San Diego, where Colonel Fremont had raised the first United States flag in southern California, and units of the Mormon Battalion performed garrison duty, in 1847. *En route* of the march from Camp Kearney to Old San Diego the company was met by General LeRoy S. Lyon, commanding the 65th brigade, of which the 145th F. A. (1st Utah) was part. At the approach of the general's automobile the descendants of the Mormon Battalion were drawn up at attention by the way-side and after an explanation of their pilgrimage, General Lyon thus addressed them:

ADDRESS OF GENERAL LYON TO DESCENDANTS OF MORMON
BATTALION

"Men: I cannot allow you to proceed on your pilgrimage commemorating the great march of your ancestors without a word of greeting.

I have learned to know well the Utah men since I became your commander, and I am sure such men will make good on our great mission to Europe.

I congratulate you men on the ancestors back of you, and feel confident that you will assist greatly in our march to Berlin, which is to be our mission to Europe.

I wish you a pleasant trip today, and am very happy to have met you on the road."¹⁸

18. A Mr. George Austin Charnock, of the Y. M. C. A. at Camp Kearney, making the march with the group, took down the speech in shorthand on the spot, hence the *verbatim* report of it. The names of the battalion descendants making this pilgrimage were: Thatcher Willey, Harold G. Walbeck, Merl E. Brown, J. C. Murdock, Fergus Ferguson, Price Willey, Wilford E. Shurtliff, Pierce Simmons, Parnell Green, Clyde Bone, Sergeant L. H. Duffin, Ralph A. Brown, C. H. Oliphant, LaMar Barlow, James P. Paul, Kingsley Clawson, Lieutenant Erwin Clawson.

On arriving at Old San Diego, the camp site of their fathers and grandfathers, the company was met by a large gathering of the citizens. Here also they were joined by the regimental band, under the guidance of its leader, Lieutenant Clarence Hawkins, that enlivened the occasion with patriotic airs. From a platform reared for the occasion the mayor of San Diego delivered a speech of welcome. The colonel of their regiment, Colonel R. W. Young, also met them here and in a speech reviewed the historic march of their fathers.

Fergus Ferguson, a grandson of one of its members, James Ferguson, prominent as we have seen in military and legal affairs of early Utah, also in the Mormon Battalion, a member of Colonel P. St. George Cooke's staff, read Colonel Cooke's official bulletin "on the arrival of the Mormon Battalion, on the Pacific coast." The "pilgrimage" ended by a banquet at one of the principal hotels of San Diego.

NOTES

1. WAR CASUALTIES OF ALL THE NATIONS IN THE WORLD WAR

By Walter Littlefield

(The figures of military losses in this article are all from official data, or, where these were not obtainable, are from official estimates)

Thirty-three Million Men on Casualty Lists Out of a Grand Total of Nearly Sixty Millions Mobilized

This is an attempt to reveal the war's cost measured in terms of human life, with special reference to the millions diverted from the productive industries of peace to the annihilating vocation of mortal combat—to other millions who today are dead, suffering, or helpless because of the war.

Sixteen established nations and three new ones, which the war brought forth, assembled their human powers for the great conflict—fifteen on one side and four on the other. Against one or more of the four, twelve other nations also declared war, but did not actively indulge in it. Of the remaining fifty more or less independent nations of the world, five also severed relations with one or more of the four original aggressors. All were seriously affected.

It has been estimated that the Polish combatants with the Allies numbered 150,000; that the Czechoslovak armies in Siberia, France and Italy, included 180,000 nationals; that the King of Hedjaz fought the Turks with 250,000 Arabs. These three new nations,

therefore, employed a combatant force of 580,000 men, which was joined to the Allies' 39,676,864 against the Central Powers' 19,500,000.

Nearly 60,000,000 men at war! Of this huge number over 7,000,000 are dead and nearly 6,000,000 (30 per cent of the wounded) are permanent human wrecks.

But this only refers to the soldiers who died or were irreparably maimed. Civilians were even greater sufferers, not only by engines of war but by famine, disease, and massacre. There were those who were killed by direct military causes; those who died from indirect causes.

In the first category we have:

- 692 Americans slain on the high seas.
- 20,620 British subjects slain on the high seas.
- 1,270 English men, women, and children the victims of air raids and bombardment.
- 30,000 Belgians butchered or deprived of life in various ways.
- 40,000 French butchered or deprived of life in various ways.
- 7,500 Neutrals slain by the U-boats.

100,082

In the second category we have:

- 4,000,000 Armenians, Syrians, Jews and Greeks massacred or starved by the Turks.
- 4,000,000 Deaths beyond the normal mortality of influenza and pneumonia induced by the war.
- 1,085,441 Servian dead through disease or massacre.

9,085,441

All this gives a military and civilian mortality, directly or indirectly the product of the war, of:

Military deaths	7,781,806
Civilian deaths	9,185,523

Total16,967,329

American civilian lives lost by U-boat, mines, etc., include all from the one lost on the British ship *Falaba*, March 28, 1915, till the four lost on the American steamer *Lucia*, Oct. 17, 1918. British lives lost in the same way include 6,500 members of the mercantile marine not listed as naval casualties. The 7,500 neutral lives also lost are led by those of Norway's death list of 5,120 seamen.

The total of 4,000,000 Armenians, Greeks, Jews and Syrians massacred by the Turks is the latest official estimate of the American Committee for Armenian and Syrian Relief.

The number of Armenians massacred has been variously estimated at from one to three million. This is probably an exaggeration. An estimate of 300,000 is based on the following facts, published in the *Horizon of Tiflis* and the *Artzakank Parisi*, (Paris) still the natural increase in population in the unaffected region might tend to increase

this total. When the war began there were fewer than three million Armenians in all Turkey, Transylvania, and Galicia. In Transcaucasia the Armenian population increased from 1,000,000 to 1,207,000; in Ciscaucasia, from 30,000 to 80,000; in European Turkey, from 400,000 to 500,000 and in Transylvania and Galicia, from 15,000 to 25,000. Supposing that this increase were entirely due to refugees, we have 367,000. Now for the region affected by massacre: First comes Turkish Armenia, with its predominant Kurd population, where, before the war, there were 650,000 Armenians, and today there are 32,000, a decrease of 618,000; Northern Persia had 100,000 and today has 51,000, a decrease of 49,000, showing a total decrease in two regions of 667,000, and a grand total decrease of 300,000 (667,000 minus 367,000).

And this is not all. Who can even estimate the millions of human beings whose bones whiten the roads of Poland or fill the charnel houses of the Bolsheviki?

The table printed below on this page gives the authentic figures regarding the man power employed and the casualties suffered by the sixteen nations which were officially mobilized for the war and took active part in it. There is as yet no record available concerning the casualties suffered by the three new nations which came into being through the war, or by little San Marino, which sent a gallant 300 to help Italy beat their common enemy. The rest, however, is upon record.

MOBILIZED STRENGTH AND CASUALTY LOSSES OF THE BELLIGERENTS

(United States and Associated Nations)

Nation	Mobilized	Dead	Wounded	Prisoners or Missing	Total Casualties
United States	4,272,521	67,813	192,483	14,363	274,659
British Empire	7,500,000	692,065	2,037,325	360,367	3,089,757
France	7,500,000	1,385,300	2,675,000	446,300	4,506,600
Italy	5,500,000	460,000	947,000	1,393,000	2,800,000
Belgium	267,000	20,000	60,000	10,000	90,000
Russia	12,000,000	1,700,000	4,950,000	2,500,000	9,150,000
Japan	800,000	300	907	3	1,210
Rumania	750,000	200,000	120,000	80,000	400,000
Serbia	707,343	322,000	28,000	100,000	450,000
Montenegro	50,000	3,000	10,000	7,000	20,000
Greece	230,000	15,000	40,000	45,000	100,000
Portugal	100,000	4,000	15,000	200	19,200
Total	39,676,864	4,869,478	11,075,715	4,956,233	20,901,426

CENTRAL POWERS

Germany	11,000,000	1,611,104	3,683,143	772,522	6,066,769
Austria-Hungary	6,500,000	800,000	3,200,000	1,211,000	5,211,000
Bulgaria	400,000	201,224	152,399	10,825	264,448
Turkey	1,600,000	300,000	570,000	130,000	1,000,000
Total	19,500,000	2,912,328	7,605,542	2,124,347	12,542,217
Grand Total	59,176,864	7,781,806	18,681,257	7,080,580	33,424,443

2. UTAH MILITARY UNITS ALL LINKED IN UNBROKEN CONTINUITY
WITH THE MORMON BATTALION AND THE NAUVOO LEGION BY
OFFICIAL ORDER OF THE UNITED STATES WAR DEPARTMENT

(Letter to the Author of this History)

The State of Utah
Military Department
Office of the Adjutant General
P. O. Box 2187
Salt Lake City

October
Tenth
1929

Hon. B. H. Roberts,
Church Office Building,
Salt Lake City, Utah.

Dear Mr. Roberts:

I am forwarding you inclosed a copy of the data furnished by the war department in reference to the colors allotted the 145th Field Artillery.

You will note in this that while they tentatively go back to the Nauvoo Legion it is stated that such service "has not been definitely established," yet it is made part of the citation for these colors.

Trust that this is the information desired by you and if we can be of any further service to you we will be very glad to do so.

I am

Yours very truly,
[Signed] "W. G. WILLIAMS,"
The Adjutant General.

145TH FIELD ARTILLERY

Organized as 1 and 2 Sqs. Cav. in 1916 from new Cav. and existing Sig. C and Inf. units organized 1894 and subsequently which claim descent from "Nauvoo Legion" but which has not been definitely established. The "Nauvoo Legion" was organized at Nauvoo, Ill. in 1841 under act of Ill. Legislature. During overland march to Utah it furnished "Mormon Battalion" for Mexican War which marched from Iowa to San Diego, Calif. via Ft. Leavenworth, Kan. and Santa Fe, N. M. Claimed to be "the longest infantry march on record." Reorganized in Utah as "Nauvoo Legion" in 1848 and disbanded in 1887 by operation of act of congress. (F- (Mexican border) 4 and 9 July 16 respectively; stationed at Nogales, Ariz.; mustered out 10 Nov. 16 and 8 Mar. 17 respectively). Consolidated with 1 Btry. FA and redesignated 1 FA 2 Aug. 17: 1 Btry. FA organized as Light Btry. A FA 26 Mar. 94. (F- (Spanish War and Philippine Insurrection) 9 May 98; divided and redesignated Btrys. A and B Utah Vols.; served in PI 17 July 98—1 July 99; mustered out at San Francisco, Calif.

16 Aug. 99). Reorganized as Co. G 1 Inf. 20 Aug. 00; redesignated 1 Btry. FA 17 Sept. 00 (F-(Mexican Border) 26 June 16; stationed at Nogales, Ariz; mustered out 22 Dec. 16). Merged in 1 FA 2 Aug. 17. (F-(World War) 5 Aug. 17; redesignated 145 FA 40 Div.; served with 40 Div. in France; not in combat; mustered out 21-28 Jan. 19). Reorganized as units 1 FA 1919-21; redesignated 145 FA 11 Oct. 21.

Streamers Authorized:

Spanish War

Manila

World War

Without inscription

Philippine Insurrection

Manila

Malolos

San Isidro

Coat of arms: Approved 13 Mar. 29.

Shield: Gules, a fleur-de-lis or; on a canton of the first a castle of the second in front of a palm tree proper within a dovetailed bordure of the fourth.

Crest: That for regiments of Utah NG. *Wreath:* Or and gules.

Motto: *Pro Deo, Pro Patria* (For God, For Country).

Description: The shield is red for arty, the gold fleur-de-lis commemorating service of the 145 FA in France during the World War. The canton depicts the history of the 1 FA and 1 Cav., Utah NG, the ancestors of the 145 FA. The castle and the palm tree on the red background represent the service of the 1 Btry. FA Utah NG in the Spanish War and Philippine Insurrection respectively, and the yellow (gold) dovetailed border symbolizes the service of the 1 Cav., Utah NG, on the Mexican border, the canton denoting the 145 FA as a descendent of these units.

Distinctive insignia: Approved 13 Mar. 29.

Shield and motto of the coat of arms.

Certified A True Copy:

W. G. Williams

The Adjutant General

CHAPTER CLXXXIII

THE CHURCH OF THE LATTER-DAY SAINTS AS AN ORGANIZATION— A FACTOR IN THE WORLD WAR

IN addition to the activities of Latter-day Saints in the World War as citizens of the state in which they chiefly lived, the state of Utah, the church itself, as an organization under the leadership of President Joseph F. Smith, rendered direct assistance to the government in the World War by the purchase of government bonds, thus supplying the sinews of war.

WAR BOND PURCHASES BY THE CHURCH

President Smith, preeminently a man of peace, was slow at first to recognize that the hour had struck for the United States to drop the neutral attitude and enter the World War on the side of the allies and fight to forward the ultimate peace of the world and the liberation of its peoples. Hence in the first drive in the United States to raise funds to aid in the war, there is no record of the church, as an organization, purchasing Liberty Bonds to aid the government. But after the first Liberty Bond drive the church purchased United States war bonds as follows:

1917—Second drive.....	\$150,000.00
1918—Third drive	250,000.00
Fourth drive	250,000.00
1919—Fifth drive	200,000.00
Total.....	\$850,000.00

In addition to the above the church purchased of its members and received on tithing enough government bonds to swell the amount it held to a million and twenty-five thousand dollars.

Following the example of the main church organization, the auxiliary organizations also purchased government bonds as follows:

The Young Men's Mutual Improvement Association bought	
-----	\$17,500.00
Thrift stamps -----	1,000.00
The Young Ladies' M. I. A. bought -----	6,250.00
Thrift stamps -----	166.00
The National Female Relief Society Organization styled "National" because of its affiliation with the Women's Benevolent Club Organizations of the country, but strictly a Latter-day Saint organization for charitable and self-cultural purposes—this organization through its branch associations purchased government bonds in the four drives, extending, through the years 1917, 1918, 1919, to the amount of -----	\$592,057.00

In addition to these bond purchases by the Relief Societies of the church, they had a membership in the Red Cross organization through the years from 1917-1919 of 47,398. This out of a total membership of about fifty thousand. In articles made and supplied for the Red Cross, for hospital supplies, for Belgian relief, for all activities in which the Red Cross functioned, the Female Relief Society of the Church of the Latter-day Saints was as active as the women of any other American community organization; and in one other respect of helpfulness I shall venture to say, they were unique.

THE STORING OF GRAIN POLICY OF THE CHURCH

In early Utah days, owing to occasional and excessive droughts; and to the occasional plagues of crickets and grasshoppers, there was at times crop failure in Utah valleys; then, sometimes, even in years of plentiful crops the influx of transient emigrants east and west would be so great that to supply them with needed food created great shortage of grain in Utah because of the increased demand upon it. To meet this recurring scarcity President Young urged upon those having a surplus of grain in any year to adopt the policy of storing it against a time of need, rather than disposing of it all annually. All who found it possible were urged to store up at least sufficient grain to supply their families for a year in advance; and, of course, beyond that in larger quantities where possible. The inconvenience and other diffi-

culties attendant upon this private enterprise as a personal policy did not meet with very large success, for men learn slowly the lesson of sacrificing today that provision may be made for tomorrow. It is the same story in a slightly different form as the world's accumulation of its capital, it is a slow and sometimes painful process. Seeing partial failure in this effort of individuals, President Young turned to the Female Relief Societies and charged them with the responsibility of "storing up grain against a time of community need." And this they adopted as one of their association activities and continuing policies. The size of the Latter-day Saint community considered, this gathering of grain through the years amounted to considerable; and from time to time they came to community relief from the store of grain.

The war presented an opportunity for such service, especially in the matter of food supplies for the European allies of the United States. Hence the tender of 200,000 or more bushels of wheat was made to the government from their stored-up supplies for such purposes. The generous tender was received and acknowledged by a personal letter from Mr. Herbert Hoover, then administrator of the food program among the United States' Allies, now president of the United States. He wrote to the presidency of the church as follows:

MR. HOOVER'S LETTER

"Washington, D. C.,

June 3rd, 1918.

Joseph F. Smith, Anthon H. Lund, C. W. Penrose,
First Presidency,
Church of Jesus Christ of Latter-day Saints,
Salt Lake City, Utah.

Dear Sirs:

From various sources, my attention has been called to the fact that the Church of Jesus Christ of Latter-day Saints has freely and voluntarily contributed wheat and flour to the government for war use.

It is my understanding that your church Relief Societies have been the medium through which this service has been performed. We who are charged with the very difficult task of administering the food program, gather new courage from this generous and patriotic act. It

assures us that our reliance on the voluntary sacrifices of our citizens to meet, out of their bounty, the pressing and critical needs of our Allies, has not been misplaced.

With renewed appreciation of the interest and sacrifice which this action by your church typifies, I am,

Yours, faithfully,

[Signed] "HERBERT HOOVER."

Mr. Hoover wrote a letter of the same date and of similar import to Utah's representative in the lower house of congress, Mr. Milton H. Welling, who read it to the house on the 7th of June, 1918, amidst applause. The government, of course, paid for this gathered wheat supply tendered to it, at the rate of \$1.20 per bushel. The exact amount of wheat delivered to the government cannot be learned, as the transaction in gathering up wheat extended over a period of time. The Presiding Bishop's Office, through which the transaction was chiefly managed, reports "about 200,000 bushels;" Mr. Milton H. Welling, upon the floor of the house of representatives, puts the amount at "205,518 bushels; or 12,331,080 lbs. of wheat."¹

The money received from this sale of wheat was invested as a trust fund *en bloc*, the interest made available for charitable purposes for the poor of the church, administered by the respective branch Relief Societies from which the wheat was purchased by the government. This trust fund, known as the "Wheat Fund" now (1930) with some accrued interest, amounts to \$403,767.²

Thus the Church of the Latter-day Saints, in supplying material aid in strengthening the hands of the government in the war, as also in giving aid as citizens of the state of Utah, where the great body of the church membership constituted such a large majority of the population as to make that membership responsible for the policy of the state in this World War period, measured up to something more than to the full height of patriotic duty to their country.

1. *Congressional Globe* for June 7th, 1918.

2. Letter from the Presiding Bishop's Office under date of February 27th, 1930.

THE SPIRIT GIVETH LIFE

All the foregoing things mentioned here and in the preceding chapter, may be regarded as material assistance which the Latter-day Saints as citizens of the state in which they chiefly lived rendered to their country; and as material aid which their church as an organization directly gave to the country in support of its war measures; but all this is as nothing compared with the *spirit* in which the membership of the church were admonished by the earthly head of the church to perform the war service which was their war duty. This began to take form in the general annual conference of the church of April, 1917, about the time the United States made the official declaration that a state of war existed between the imperial government of Germany and the United States of America. This spirit in which the war duty of the Latter-day Saints was to be undertaken was voiced by President Joseph F. Smith in his opening address of the conference named.

PRESIDENT JOSEPH F. SMITH ON THE SPIRIT OF THE WAR

"Speaking of the possibility of conflict, of war, I exhort my friends, the people of our country, especially in this intermountain region, to maintain above all other things the spirit of humanity, of love, and of peace-making, that even though they may be called into action they will not demolish, override and destroy the principles which we believe in, which we have tried to inculcate, and which we are exhorted to maintain; peace and good will toward all mankind, though we may be brought into action with the enemy. I want to say to the Latter-day Saints who may enlist, and whose services the country may require, that when they become soldiers of the state and of the nation that they will not forget that they are also soldiers of the cross, that they are ministers of life and not of death, and when they go forth, they may go forth in the spirit of defending the liberties of mankind rather than for the purpose of destroying the enemy. * * *

Forget Not Righteousness: It is abominable that men who engage in the great and grand and necessary duty of protecting and guarding our nation from the encroachments of wicked enemies, cruel and destructive foes, should not maintain among themselves lives of honor, virtue, purity and of immunity from sin and crime of every kind. It is a disgraceful thought that a man to become a soldier should become

a rake and abandon himself to crime and wickedness. Let the soldiers that go out from Utah be and remain men of honor. And when they are called obey the call, and manfully meet the duty, the dangers, or the labor, that may be required of them, or that they may be set to do; but do it with an eye single to the accomplishment of the good that is aimed to be accomplished, and not with the blood-thirsty desire to kill and to destroy."

THE GERMAN SAINTS AND THE WAR

President Smith made reference to the difficulties which beset the German people within the church, in Utah and in the United States, and the trial it would be for them—this American war upon their fatherland. He called attention to the fact that the Church of Jesus Christ of the New Dispensation knew no nationalities; now, as of old, there was neither "Jew nor Greek," neither "bond nor free," in the fellowship of the saints, but all were one in Christ Jesus; and he sympathetically said of the Germans and the trying situation in which they were placed by this war declared to be existing between the United States and their fatherland:

No Nationalities in the Church: "It is nothing but natural that people who are born in a land, though they may have emigrated from it, who have left their kindred there, many of them, that they will naturally have a tender feeling toward their fatherland. But the Latter-day Saints who have come from England and from France and from Germany and Scandinavia and Holland, into this country, no matter what their country may be involved in, it is not our business to distinguish them in any way by criticism or by complaint toward them, or by condemnation, because of the place where they were born. They could not help where they were born, and they have come here to be Latter-day Saints, not to be Germans, nor to be Scandinavians, nor to be English or French, nor to belong to any other country in the world. They have come here to be members of the Church of Jesus Christ of Latter-day Saints, and good and true citizens of the United States, and of the several states in which they live, and other places throughout the world, where Latter-day Saints are building homes for themselves.

Distinction Between the German Government and the German People: You must not condemn the people, however much you may judge and condemn their leaders, who place their people in jeopardy, and demand their life blood for their maintenance in positions of prominence and power. *Their leaders are to blame, not the people.* The people that embrace the gospel are innocent of these things, and they ought to be respected by Latter-day Saints everywhere. * * * They are our brethren and our sisters, our neighbors, and they are helping to

build up this great country of ours, and we must respect them and uphold them in the purest kindness, love and compassion, and with sorrow that their native countries are in the terrible plight that they are, for which they [the saints] are not responsible."

THE GERMAN PEOPLE DISTINCT FROM THEIR GOVERNMENT

At this point in his remarks, President Smith made the same distinction between the German people and the imperial German government as that which President Wilson had made in his war speech to congress. The latter then said:

"We have no quarrel with the German people. We have no feeling towards them but one of sympathy and friendship. It was not upon their impulse that their government acted in entering this war. It was not with their previous knowledge and approval. It was a war determined upon as wars used to be determined on in the old, unhappy days when peoples were nowhere consulted by their rulers, and wars were provoked and waged in the interest of dynasties or of little groups of ambitious men who were accustomed to use their fellow-men as pawns and tools."

The counselors of President Smith, Elders Anthon H. Lund and Charles W. Penrose followed him in the same line of thought and admonition as to the war duties of the members of the church.³

It will not be necessary to remark upon the excellence of the spirit here invoked in which the war service was to be rendered by the Latter-day Saints. One need not discuss the obvious.

THE GERMAN SAINTS IN GERMANY

There was the further perplexing thing underlying this war situation, but not discussed at this conference, nor elsewhere, as far as I know; and yet it may not be passed in silence here *viz*: What shall be the attitude of the Latter-day Saints in Germany as to this World War? Assuming as we do, that the World War was, on the part of the United States, at least, a war against autocracy, and for the founding of world freedom and the preservation of the rights of all nations, small and great; and that the imperial government of Ger-

3. See *Proceedings of Eighty-seventh Annual Conference*, pamphlet, for April 6-8, 1917, pp. 2-23.

many was in the wrong; what shall the Latter-day Saints in Germany do? What shall be their mental attitude, and their action? This situation for them can only be deplored, of course; but practically, by stern necessity of inexorable German law, the German saints will be compelled to enter the war on the side of their country. And however unfortunate it may be accounted, Latter-day Saints believe "in being subject to kings, presidents, rulers and magistrates, in obeying, honoring and sustaining the law."⁴ This must mean, of course, upholding and obeying the law and upholding the government in the respective countries in which the Latter-day Saints live; and if conditions arise, as in this case under consideration, where one's country goes wrong, and one's government becomes perverse, such conditions can but be deplored and the false attitude endured until the results are worked out, and there comes a readjustment of affairs more in keeping with right and justice. All this but reveals the necessity of earnest prayer being uttered that God's kingdom shall come, his rule of righteousness and truth be established, that such perplexities and conflicting duties shall not arise to plague the people of any land.

A CONFERENCE OF THE AUXILIARY ASSOCIATIONS OF THE CHURCH

The principle set forth as outlining the duties of the Latter-day Saints at the annual conference of the church might well be taken as sufficient for the guidance of the church membership; but these duties were more boldly set forth and emphasized at the June, 1917, conference of the conjoint associations of the Young Men and Young Women held in Salt Lake City, the first presidency of the church being the principal speakers in relation to the subject of the war, the main theme of the conference. The *Salt Lake Tribune*, which, as we have seen, during long years had been so strongly and at times so bitterly anti-"Mormon," announced as the subheading of its report of that conference the following:

4. Articles of Faith, No. 12, *Doctrine and Covenants*.

*First Presidency of Mormon Church Urges Young Men to go to Defense
of Nation and Truth and Liberty*

"With earnestness, and with the religious thought uppermost in the minds and utterances of the speakers, the three members of the first presidency of the Church of Jesus Christ of Latter-day Saints yesterday afternoon, in the great tabernacle, urged the young men of the organization to enlist in defense of liberty and the principles emblemed in the Stars and Stripes.

It is significant that the religio-military propaganda was put forth before an audience of about 8,000, composed principally of young men and young women, the occasion being the chief meeting of the June conference of the Mutual Improvement and Primary auxiliary organizations.

President Charles W. Penrose led in the enlistment advocacy and he was followed by President Anthon H. Lund. It was when President Joseph F. Smith made the closing address of the meeting that emphasis was laid upon the whole question—

Regarded generally by the people of the 'Mormon' faith as a call to arms coming from the Almighty through the mouths of his servants, the utterances of the first presidency of the church took on an impressiveness which seemed to make itself felt deeply throughout the vast assemblage."⁵

Then follow excerpts from all three of the speeches by the first presidency.

WAR DUTY OF THE CHURCH MEMBERS REAFFIRMED

It will be sufficient to say here that the principles to govern the saints in their direct war service announced in the April general conference of the church were adhered to, but emphasized in this conference of the auxiliary organizations. President Smith expressed the thought that this war had been brought about by the folly and ambition of men and some nations and was not chargeable to God.

God Not Responsible For The War: "Would the nations of the earth that are at war with each other be at war as they are, if the Spirit of God Almighty had pervaded their souls and moved and actuated them in their designs? No; not at all. Worldly ambition, pride, and the love of power, determination on the part of rulers to prevail over their competitors in the national games of life, wickedness at heart, desire for power, for worldly greatness, have led the nations of the earth to quarrel with each other and have brought them to war and self-

5. *Salt Lake Tribune* of June 11th, 1917.

destruction. I presume there is not a nation in the world today that is not tainted with this evil more or less." * * *

Will those men who go out from Utah, from the Church of Jesus Christ of Latter-day Saints, forget their prayers? Will they forget God? Will they forget the teachings that they have received from their parents at home? Will they forget the principles of the gospel of Jesus Christ and the covenants that they have made in the waters of baptism, and in sacred places? Or will they go out as men, in every sense—pure men, high-minded men, honest men, virtuous men, men of God? That is what I am anxious about.⁶

So throughout what may be called the war conference of the Young Men and Young Women's Associations of the church, there was a plain setting forth of the manner in which their war duty should be performed.

Six of President Smith's sons enlisted in the United States Army for the World War, one of the number, Calvin S. Smith, entered the service as chaplain, at large, and by promotion rose to the rank of captain chaplain. He served in the training camps in the United States, but in June, 1918, went overseas, where he saw active service on the French-German front in various organizations, and was twice wounded. He did not fail, I think, to meet the expectations of his honored prophet-father in adherence to the spirit in which that father would have the war for the security of human freedom prosecuted. Happily Chaplain Smith returned home, but not to "meet that father," who had passed on before the war closed.

In every way Latter-day Saints individually as citizens of their country, and the church as an organization, did their patriotic duty in the great cause of humanity—in the World War.

* * *

President Joseph F. Smith just lived long enough, perhaps, to realize that the World War had come to its triumphant conclusion by the victory of the allied nations and

6. Full report of the speeches and of the conference proceedings will be found in the *Improvement Era* for July, 1917.

the United States; for he lived eight days after the signing of the Armistice.

Throughout his life President Smith had been well preserved in health, but in the spring of 1918 he began to fail seriously in health, and during much of the summer following he was practically confined to his home by increasing illness. He was able to attend the general semi-annual October conference of the church, however, and presided over all its sessions, but it was with manifestly increasing physical weakness. In mid-November he was attacked by pleurisy from which he suffered greatly. This rapidly developed into pleuro-pneumonia and on the 19th of November, six days after the anniversary of his 80th birthday, he passed on.

Utah with the rest of the United States and practically the world was suffering from a world wide epidemic of influenza, so that no public funeral service could be held in honor of the almost universally beloved president of the church; but as the private cortege of the funeral procession passed along the streets *en route* for the city's cemetery, thousands of the citizens of Salt Lake City paid silent homage to the upright man who passed on to his rest.

During the later years of his life, and notwithstanding the fierce attacks made upon him but a few years before his death by foes in Utah, and throughout the United States and by the press generally, and especially through many monthly magazines of the country, a great change had been wrought towards him. Always beloved by his own people, for his known sincerity and integrity, he lived to see his virtues and character appreciated by non-"Mormons" as well as by Latter-day Saints. This mental attitude toward him is perhaps best and typically expressed by Judge Charles C. Goodwin in *Goodwin's Weekly* (Salt Lake City), for April 8, 1916, consequently a little more than two years before President Smith's death. This one-time inveterate foe of President Smith and of "Mormonism," said of him:

"A more kindly and benevolent man has seldom held an exalted

ecclesiastical position in these latter days than President Joseph F. Smith of the Church of Jesus Christ of Latter-day Saints. Passing down the seventy-seventh year of the highway of life, and living with broad tolerance of the affairs of men, he stands a commanding influence in his state. To his people he is the great spiritual leader. To men at large he is a man of wide sympathies, great business acumen and a born leader of the great institution of which he is the head.

One, who has known him for two generations, says of him: 'Once stern and unrelenting, he has mellowed as the years go on, until he sees but the good in humanity and forgives men their trespasses.'

His early life was of great hardship, surviving as he did many adventures and many soul-rending experiences that try the hearts of men.

He is the son of Hyrum Smith, second patriarch of the church and brother of the Prophet Joseph Smith. He was born November 13, 1838, at Far West, Missouri. He came into the world at the beginning of the early troubles of his people. His mother fled with him from Nauvoo, Illinois.

At the age of eight years he drove an ox team across the desert. He reached Salt Lake with his mother September 23, 1848. From that time until this his service to the Mormon church has been a record of large achievements.

His life all these years has been lived with great simplicity, constant labor and great personal frugality.

He stands today a patriarch ruling with a gentle hand over a people blessed with such prosperity as few religious bodies have ever known."

Such were the views quite generally held of him—but increasingly so—during the two years more through which his life was prolonged. Life for him was a victory.

CHAPTER CLXXXIV

THE OPENING OF PRESIDENT HEBER J. GRANT'S ADMINISTRATION

IN harmony with the recent policy followed by the church of promptly organizing the first presidency at the demise of a president of the high priesthood of the church, who is also and always the president of the church, the quorum of the twelve apostles met in the temple on the 23rd day of November, 1918, and Heber J. Grant was nominated to be, and was set apart as president of the Church of Jesus Christ of Latter-day Saints. With that ordinance, of course, he became the prophet, seer, translator and revelator of the church, "holding all the keys, powers and authority" heretofore held by his predecessors. To have, in fact, "all the gifts of God which he bestows upon the head of the church."¹

THE SPECIAL CONFERENCE FOR RATIFICATION

The prevalence of the epidemic of influenza which prevented a public burial service being held for the late President Joseph F. Smith, prevented also the assembling of a general conference for ratifying the selection of the new president; also the convening of the annual April conference of the church. But a special general conference was appointed for the first of June, at which time there was a general assembly of the priesthood arranged in which each quorum votes, first separately, and in the order of their standing; then the whole conference, including the assembled and arranged quorums, and the members of the church voting *en mass* on the several questions before the conference.

This special conference in June unanimously sustained the action of the twelve in nominating and setting apart Heber J. Grant as president of the church; and also the new president's action in continuing the counselors of the late

1. *Doctrine and Covenants*, sec. cvii:64-67; also verses 22, and 91-92: *Ibid*, sec. lxxxi:2.

President Smith as his counselors. These were Anthon H. Lund and Charles W. Penrose. Also the conference voted to sustain Elder Melvin J. Ballard, who had been chosen and ordained an apostle on January, 17, 1919, to fill the vacancy created in the apostles' quorum by choosing Heber J. Grant to be the president of the church.

At this special conference memorial services were held for President Joseph F. Smith, and fitting tributes paid to the life and character of the lately departed leader.

PRESIDENT HEBER J. GRANT

President Heber J. Grant was born in Salt Lake City on the 22nd of November, 1856, and therefore was sixty-two years of age when entering upon the high office of president of the church. He is the son of Jedediah Morgan Grant and Rachel Ridgway Ivins Grant. The Grants were from New York and the New England states, running back for several generations, and extending beyond that into Scotland, but of the family in that country little is known. Jedediah M. Grant's own summarization of his paternal ancestry is: "My father's paternal grandfather * * * was from Scotland; but the rest of my ancestors were New Englanders of the oldest stocks. Two of them fought for independence in the Revolution."²

JEDEDIAH M. GRANT

The New Dispensation of the gospel found the father of President Grant early in life—he was baptized at seventeen, in 1833, when the church had been organized but three years. Of a sanguine, earnest temperament, Jedediah M. Grant entered with zeal into all the activities of the church in that early period. The year following his baptism he became a member of Zion's camp and made the wonderful journey under the leadership of the Prophet Joseph Smith in the

2. Letters to the *New York Herald* (Grant-signed Letters), 1852; done into a pamphlet and included in the collection of *L. D. S. Controversial Works*, vol. 1.

march to Missouri and the return to Kirtland. On completion of that return he was ordained an elder in the priesthood, and soon afterwards was ordained one of the seventy in the first quorum³ of that organization, and from that time on was prominent in the missionary activities of the church in the eastern states, but afterwards, in the south, North Carolina and Virginia more especially. In the latter state he came in contact in those early years with Mr. John B. Floyd, afterwards so conspicuous in Utah affairs as secretary of state in the Buchanan administration and during the "Utah Expedition" episode.

Jedediah M. Grant passed through the trying period of Missouri experiences and of Nauvoo's rise and fall, with its martyrdoms, and the exodus from it; the trek across the plains and over the mountains in 1847; bringing into the Salt Lake valley the last train of the migrating saints of that year. He participated in all the pioneering activities of the saints through the early Utah years; and when Salt Lake City was incorporated under the act of the legislature of the provisional "State of Deseret," he became its first mayor, and remained in that office uninterruptedly to the time of his death. He had risen in the priesthood to the office of a president in the first council of the seventy, 1845, and later was chosen to be counselor to President Brigham Young in the first presidency of the church.

He it was, it will be remembered, who became the leader of that extraordinary movement in the church of 1856, known as the "Reformation," the movement depending for much of its enthusiasm upon the personality of Jedediah M. Grant. That personality as a factor of the movement must have been tremendous, for there seems to have been but little else on which to build what became so strenuous an experience for the church, extending even into the foreign missions. The text on which the fiery preaching was founded seemed to be

3. *History of the Church*, Period I, vol. i, ch. xiii.

merely a casual remark of President Young's at a conference held at Kaysville in Davis county:

"Latter-day Saints, Do Your Duty."

This commonplace utterance was seized upon by President Jedediah M. Grant and became the slogan around which was built the sermons of the "Reformation." The use of the text became a fine illustration of the truism of philosophy that an idea is of little moment until it passes through a personality and becomes identified with it. Then it becomes dynamic. It was so with this utterance of Brigham Young:

"Latter-day Saints, Do Your Duty."

This much is here sketched out concerning the father of President Heber J. Grant, not so much as a biographical note, but merely to remind the reader that upon the paternal side, the president of the church today, with whom the first century of organized existence of the church closes, and with whom, as president also, the second century begins, was one early and earnestly, and effectively and honorably identified with the commencement of the great Latter-day work; and that it still holds, in the experiences of men, that "a good name" is more "precious than great riches," hence this brief notice of President Grant's father, who bequeathed to his son a good and honorable name.

RACHEL R. GRANT

President Heber J. Grant's mother was a native of Hornerstown, New Jersey; born on March 7, 1821. Her father was Caleb Ivins and her mother Edith Ridgway. Both paternal and maternal branches of her family were highly respectable, and somewhat distinguished people, extending back into the noted Shreve family of England.

Early experiences of Rachel R. Ivins in the church greatly affect the position of President Grant, and hence are briefly referred to here. Rachel R. Ivins lost both of her parents in her childhood; her father when she was six years old, and her mother when she was nine. After

this she made her home with one of her cousins, Joshua Wright of Trenton, New Jersey, a family of means and good standing in the community. While visiting the Ivins relatives in Hornerstown, Sister Rachel heard the elders of the New Dispensation preach, and while at first thinking that going to hear them preach on the Sabbath day was sinful—the family she lived with were of the Quaker persuasion—yet she persisted in attendance upon the meetings until conviction of the truth of what she heard followed, and despite some family opposition she was baptized and confirmed into membership of the church.

With some of her Ivins cousins, who had also joined the church at Hornerstown, she went to Nauvoo, where the Ivins family built a home, and here made the acquaintance of the Prophet Joseph Smith, and became identified with the life of the city and its people, until after the martyrdom of the Prophet when most of the group returned to New Jersey.

The subject uppermost for discussion at the time of the arrival of the Ivins' at Nauvoo and during their sojourn in the city was, albeit *subrosa*, the new marriage system being introduced, marriage for eternity and also under very guarded circumstances allowing of a plurality of wives. This system of marriage was presented to Rachel R. Ivins with an intimation made that she become the wife of the Prophet. This proposition she rejected; and it is said with some spirit. After the Prophet's martyrdom at Carthage, and the settling of the question of the presidency of the church by the sustaining of the twelve apostles as such presidency, Brigham Young at their head, a number of the Ivins family, Sister Rachel accompanying them, returned to New Jersey. Later, however, in 1853, she accompanied her cousin, Dr. Israel Ivins—who had married her sister, Anna Lowrie Ivins—and his family to Salt Lake valley. With time for reflection and the operation of the spirit upon her mind, and agitated by the soul-stirring experiences through which the church was then passing, Rachel R. Ivins began to think more kindly

of the proposition of marriage made to her in the interest of the Prophet at Nauvoo; so that by the time the family became settled in the Salt Lake valley, she was sealed to the Prophet Joseph Smith as his wife for eternity; but was married "for time" to Jedediah M. Grant, who had long been a friend to her family and the means of bringing some of them into the church. One year later her son, Heber J. Grant, was born; and nine days after his birth the father died.

Under the principles of this new marriage system "for time and eternity," the offspring of these "for time" marriages are recognized as members of the families of those to whom the mothers are married eternally. Hence, though President Heber J. Grant as a fact, and by the "for time" marriage is the son of Jedediah M. Grant, in reality, now and eternally, he is and will be a member of the family of Joseph Smith, the Prophet of the New Dispensation, *his son!* And such he is now. So it comes to pass that with the close of the first century of organized existence of the Church of Jesus Christ of Latter-day Saints, and at the beginning of the second century of that existence, the church has a president who is the son of the Prophet of God who was the first president of the church one hundred years ago.

PRESIDENT GRANT'S ADMINISTRATION

President Grant's administration began under auspicious circumstances. The church had moved far along the line of her development. Her right and power of community existence had been settled in her favor. No one, humanly speaking, would ever again question her right to exist; nor again attempt to destroy her by physical violence. The church would not again be driven into a wilderness. There was no probability of further contest as to the civil and political rights of her membership, under the Constitution and laws of the United States, in which country her community existence and activities will chiefly center and obtain. The

doctrine and general policy of the church was largely determined. The doctrines relating to the application of the gospel to the dead, was settled; and four temples had been erected in the mountains in which ordinance work for the dead was in progress, and two others were in course of construction. The membership of the church was sufficiently large and so placed and instructed as not only to give security of existence, but to give reasonable assurance, through its settled tithing system, of a revenue sufficient in volume and regularity of payment to do things, and somewhat in a large way. Her financial credit was unquestioned. All church indebtedness had been cancelled.

PRACTICAL TEMPERAMENT

Involuntarily, under these circumstances, the question arises, what will likely be the chief line of procedure in the administration of President Grant? Undoubtedly this will be determined not only by the status of the development of the church and her mission in the world, but somewhat also by the temperament and mind qualities of President Grant himself. It is no disparagement to say that President Grant is not a highly imaginative person; intellectually speculative, or a constructive theorist, or largely a doctrinaire. He is not likely to come to his people with such rhapsodic visions as an Isaiah would bring: "Hear O heavens, and give ear O earth; for the Lord hath spoken! * * * I saw the Lord sitting upon a throne high and lifted up, and his train filled the temple. About it stood the seraphims—each one had six wings—and one cried to another, and said, Holy, holy, holy is the Lord of hosts: the whole earth is full of his glory." Not so; but rather after the type of St. James, President Grant would likely say, and reason it out in this fashion: "What doth it profit, my brethren, though a man say he hath faith and have not works, can faith save him? If a brother or sister be naked, and destitute of daily food and one of you say unto them, depart in peace, be ye warmed

and filled, notwithstanding ye give them not those things which are needful to the body; what doth it profit? Even so faith, if it hath not works, is dead being alone. * * * A man may say, thou hast faith and I have works. Show me thy faith without thy works, and I will show you my faith by my works. * * * Know, O vain man, that faith without works is dead."

In defining religion, President Grant would likely say: "Pure religion and undefiled before God and the Father is this: To visit the fatherless and widows in affliction, and keep himself unspotted from the world."

"THREE WORD POLICY"—KEEP THE COMMANDMENTS

Also, "Be ye doers of the word, and not hearers only, deceiving your own selves."⁴

In a word, President Grant's message to his people and to his times, judged by the temperament of him, and the sternly practical nature of him, is emphatically and is likely to continue to be, practical; and will be reflected by his oft repeated admonition:

"*Latter-day Saints, keep the commandments of God.*" Or as officially and sacredly put in his notable discourse at the dedication of the Hawaiian temple (1919) and frequently repeated by him—

"*It is not the miraculous testimonies we may have, but it is keeping of the commandments of God, and living lives of absolute purity, not only in act, but in thought, that will count with the Lord.*"⁵

That thunderbolt utterance of his, of course, is all inclusive. What exists outside of it as duty of man or requirement of God? It takes on all the hue of—

"What doth the Lord require of thee, but to deal justly and to love mercy, and to walk humbly with thy God."⁶

4. *St. James*, chapters i and ii.

5. The speech was reported by Elder Rudger Clawson, president of the apostles' quorum at the time, and appears in the *Honolulu Star Bulletin*, impression of December 6th, 1919, where also the prayer of dedication of the temple is published in full.

6. *Mich.*, vi:8.

Also "Let us hear the conclusion of the whole matter: Fear God and keep his commandments; for this is the whole duty of man."⁷

Also it is in strict harmony with the doctrine of the Master Lord, who, when closing his matchless sermon on the mount, said:

"Whosoever heareth these sayings of mine and doeth them"—is to be counted a wise man, who buildeth his house upon a rock.

"And everyone that heareth these sayings of mine and doeth them not," is to be accounted a foolish man who buildeth his house upon the sand.⁸

Also "If thou wilt enter into life, keep the commandments."⁹

Again: "If ye love me, keep my commandments."¹⁰

It is all of one piece, this. It is all climatic; and all inclusive, this inspired teaching of the servants of God. In the practice of essential things for eternal life, for justification of man before God. Who hath this, hath all; who hath it not, hath nothing.

And is not this: "*Keep the commandments of God,*" the one thing that the world needs? Is not the world tired of mouthings on formal and fine-spun ethics, and philosophical moral systems that "sever and divide a hair twixt north and northwest side?" In great spiritual and moral reforms and world movements have not men been moved thereto by terse and condensed thunderbolt utterances more than by quibbling refinements of thought and hesitating, long-delayed deduction until the force of realities disappears?

Of course, what is here contemplated is the keeping of the whole law of God, and the law of God wholly: The ten commandments; these as expounded by the Christ, and generalized by him into love of God and love of man, as

7. *Ecclesiastes*, xii:13, 14.

8. *St. Matt.*, vii.

9. *Ibid.*, xix:17.

10. *St. John*, xiv.

the two great commandments;¹¹ which include all else. Also the Sermon on the Mount, as embodying the moral and spiritual law of the gospel. No laying of undue emphasis upon one part of the law to the neglect of the other; no paying of tithes on mint and anise and cummin, and omitting the weightier matters of the law, "judgment, mercy and faith:" for these ought to be done, though not leaving the other undone. Neither is there to be straining at gnats and swallowing camels.¹² The whole law of God is included in—"Keep the commandments." Not "which,"¹³ but all; those written in the scriptures, and those yet to come.

THE CRUSADES

Peter the hermit depicted the sufferings of Christian pilgrims in the Holy Land at the hands of the Mohammedan Turks; Pope Urban II with fervent eloquence, pleaded the same cause, but not until the people found their thought and their emotion was expressed by the cry: "*God wills it*," was Europe shaken, and the crusades of the middle ages got started. And though after centuries of war between east and west the Holy Land was not permanently and fully won by the Christian hosts—and such was the purpose of the crusades at the first—still Europe was awakened and moved, and it is the testimony of all history that by that awakening and movement Europe made mighty strides towards a necessary enlargement of liberty, and for the people and the world—progress.

THE MOHAMMEDANS

On the part of Europe's antagonist in the issue—Mohammedans of western Asia—they, too, were moved by a rallying cry no less inspiring to them than the Christians' "*God wills it*." This their great thought of the unity of God, expressed for them in their formula:

11. *St. Matt.*, xxii:36-40.

12. *Ibid*, xxiii:23-24.

13. *Ibid*, xix:18. Observe the Lord's full answer.

"There is but one God, and Mohammed is his prophet."

This cardinal doctrine thus expressed carried them through the conquest of Arabia, all of North Africa and far into southern Europe. It gave to the Arabian prophet as large a following, well-nigh, as the followers of the Nazarene could boast; and during the invasion of Asia Minor by the successive Christian crusades, so strengthened their resistance that they made of that invasion a drawn contest between Christian west and Mohammedan east—between "cross and crescent."

THE PROTESTANT REVOLUTION

The Protestant formula of the 16th century—

"By faith ye are saved; it is the gift of God;"

though but expressing half a truth, led Europe to break the power of papal Rome, and mightily advanced the cause of freedom and of progress in the world.

Other illustrations will occur to the reader; among them the crystallized determination of the American colonists in their resistance to British oppression—

"No taxation without representation;"

and later, as resistance intensified:

"These colonies are and of right ought to be free and independent states."

These formulas fired and united the souls of the colonists and gave to America and to the world the United States of America, the mightiest republic-empire of the world, and the foremost progressive nation of modern national life.

The formula of the "Reformation" in the Church of Latter-day Saints for 1856 recurs:

"Latter-day Saints, Do Your Duty."

The almost personification of this simple thought in the fiery nature of Jedediah M. Grant, made of it an impressive power, a moral force leading to an awakening of conscience, followed by confession of sins and an abandonment

of them, a real reformation. If he, Jedediah M. Grant, by passing the lightening of that simple phrase, "*Latter-day Saints, do your duty*," through his soul, so vitalized it that forever after it became a living principle for the church, may it not be that his son, the prophet of God with whom the first century of the organized existence for the church closes and with which the second century begins—may it not be that he has found a simple formula—"Latter-day Saints, keep the commandments of God"—that is the need of the hour and of the period to which the church of the New Dispensation has arrived? and that if vitalized by the lightening of it passing through the intensified, inspired soul of a prophet of God, it will become the very power of God to our times, and to all times succeeding, increasing in splendor as ages pass, until it shall accomplish all the purposes of God in the salvation of man and the redemption of the world—the choicest gift of the first century of organized existence of the church to the second century and to all future times? Such things are possible out of these forces that seem so intangible at times. Speaking of the first Prophet of the New Dispensation, God said of him:

"God ministered unto him—and gave unto him commandments which inspired him?"¹⁴ And if the first Prophet of the New Dispensation was inspired by commandments of God to do his great work may not the church's present prophet and prophets be likewise inspired by this commandment—this all-embracing of commandments: "*Keep ye the commandments of God.*"

THE PLEDGE OF LEADERSHIP

No better characterization of President Grant's policy of administration can be given than what may be regarded as his pledges to the church at the commencement of that administration. It is found in his address delivered at the special conference called and held for the ratification

14. *Doctrine and Covenants*, sec. xx:5-7.

of his nomination to the office of president of the church by the apostles. This June 1st, 1919. At that time he said:

"I shall do the best I can to fulfill every obligation that shall rest upon me as president of the Church of Jesus Christ of Latter-day Saints, to the full extent of my ability.

I will ask no man to be more liberal with his means than I am with mine in proportion to what he possesses, for the advancement of God's kingdom.

I will ask no man to observe the word of wisdom any more closely than I will observe it.

I will ask no man to be more conscientious and prompt in the payment of his tithes and his offerings than I will be.

I will ask no man to be more ready and willing to come early and to go late and to labor with full power of mind and body than I will labor, always in humility."

All this has to do directly with "*Keep the commandments of God,*" and the whole church is witness to the fact that such has been and is the course of President Grant; and no one doubts but it will be so to the end of his course. Here is true leadership: If thou wouldst have men do the things that ought to be done, then do thou the things thou wouldst have them to do. Under such leadership the Church of Jesus Christ of Latter-day Saints should go far.

CHAPTER CLXXXV

DEVELOPMENTS UNDER PRESIDENT GRANT'S ADMINISTRATION— DEDICATION OF TEMPLES—THE WHOLE OF AMERICA ZION

ONE of the early events under the administration of President Heber J. Grant was the dedication of three temples.

THE HAWAIIAN TEMPLE

The first was the Hawaiian temple, dedicated 27th of November, 1919. In the company that went with President Grant to Hawaii were his first counselor, Anthon H. Lund; Rudger Clawson, president of the quorum of the twelve apostles, and Elder Stephen L. Richards of the membership of that quorum; C. W. Nibley, then presiding bishop of the church and Arthur Winter, secretary in the president's office. Sister Sarah J. Cannon, wife of the late President George Q. Cannon, was the honored guest of the Salt Lake party, and of the Hawaiian people. This to represent and do honor to the memory of President Cannon, who had been one of the group of elders who had visited the islands in 1850, and assisted in founding the mission that all through the years since then has been steadily maintained. The dedicatory prayer was read by President Grant at each of the five services held, and the dedication as many times repeated, President Grant each time reading the prayer, in order that the 1,239 people in attendance at the conference, chiefly natives of course, might all participate in the dedication.¹

THE TEMPLE IN CANADA

Four years later *viz.*, August 26, 1923, President Grant dedicated the temple at Cardston, province of Alberta, in western Canada, amidst the great rejoicing of the people.

1. Quite full proceedings of the first day's service were published, including a *verbatim* report of the dedicatory prayer, in the *Honolulu Star Bulletin* of December 6, 1919, accompanied by newspaper cuts of the leading visitors.

An invitation to the non-members of the church in the vicinity to visit and pass through all parts of the temple previous to its dedication, enhanced the good feeling that had long prevailed among the people of the province of Alberta and the Latter-day Saints. Indeed, the same may be said as to the good feeling obtaining in the whole Dominion of Canada. The Cardston temple was erected at a cost of \$3,000 less than \$1,000,000;² and is generally regarded as the most pretentious and the finest building in western Canada. Much of its grandeur is due to its commanding location, overlooking St. Mary's valley and surrounding country. The massive solidity of the structure is a witness in hewn stone of the permanence and solidity of the faith of the people who erected it.

TEMPLE SITE DEDICATED AT MESA, ARIZONA

On Monday, the 28th of November, 1921, the site of a temple to be erected at Mesa, Arizona, near the capital of the state, Phoenix, was selected and dedicated by Presidents Heber J. Grant, Anthony W. Ivins, and Elder Rudger Clawson of the council of the twelve.³

A FREE TEMPLE SITE TENDERED BY CALIFORNIA

It was probably the news of this action in Arizona that prompted a company of real estate men in California, on the 15th of this same month to offer to the church a free temple site, provided the structure would be of a character to cost \$500,000. The council of the twelve apostles at Salt Lake declined the tender of the free site on account of financial conditions then obtaining in the church as the reason for such action. It might also have been said that temples are not built to further real estate schemes or enterprises; temple locations and temple buildings stand apart from all such considerations. However, California will doubtless have her

2. The exact cost of the Canadian temple—sometimes called the Alberta temple, was precisely \$997,000. The cost of each of the seven temples erected by the church is given in *Note* at end of this chapter.

3. Reported by President Ivins, *Deseret News*, December 1, 1921.

temple. While on the Pioneer journey at a campfire talk, President Young once said, discussing the development of the church in the west, he would not be surprised if in time some of the older brethren would come up from California, and petition the church leaders for a temple to be erected in that land.

DEDICATION OF THE ARIZONA TEMPLE

The temple at Mesa, Arizona, was completed in three years from the time its site was chosen and dedicated. Four days were required to complete the dedication services, so great were the crowds in attendance. President Grant, as was fitting, on each day read the dedicatory prayer, and from the large attendance of the general authorities of the church from Utah and leading brethren from Arizona and California, speakers were chosen who cheered and instructed the saints. The occasion was one of very great enjoyment for the saints occupying the south part of the church territory in the western United States. A temple in Arizona! It scarcely seemed credible! It was not yet eighty years since the Mormon Battalion made its march through this same desert-wilderness of Arizona, a little to the south of the temple site, *en route* to the Pacific, as ragamuffin a group of men, toil-worn and haggard, as ever made up a military unit of an army. Now a Latter-day Saint community, in a sovereign state of the Union, of 14,223, located in 46 towns and villages, grouped into four stakes of Zion, with common and high school buildings, church buildings, everywhere society organized, a happy and contented people; and now also a completed and dedicated temple, in this same desert land, costing a million dollars—in the land through which the battalion marched less than eighty years ago! No, modern men! I address you; miracles have not ceased; they are only different.

TEMPLE LOCATIONS

The Arizona temple brought the full number of these sacred structures up to seven: Canada, Logan, Salt Lake

City, Manti, St. George, Mesa, Arizona, and Hawaii—these are the temple places. It will doubtless be of interest to the reader-student to know something of the volume of work done in these buildings appointed of God for his people to erect, and chiefly for the performance of the ordinances necessary to the salvation of the dead; for without these ordinances the dead who have not received them, no more than the living, may be made perfect; for therein, that is to say, through the ordinances of the gospel, administered by the priesthood in these temples, “the power of godliness is manifest;” and without the ordinances thereof, and the authority of the priesthood, “the power of godliness is not manifested unto men in the flesh.”⁴ This has been set forth somewhat in a previous chapter,⁵ and needs no further elaboration here.

NUMBER OF TEMPLE ORDINANCES, CENTURY I

A statement is herewith submitted setting forth the amount of work done in all the temples from the beginning until the opening of 1930, including the Nauvoo temple. The statement is furnished through the courtesy of Elder George F. Richards of the council of the apostles, and president of the Salt Lake temple, and Duncan M. McAllister, custodian of the temple records.

“Totals of Temple Ordinances performed from the beginning, 1842, to the 31st of December, 1929, in all temples of the Church of Jesus Christ of Latter-day Saints:

	<i>Living</i>	<i>Dead</i>
Baptisms		6,973,367
Endowments	239,022	4,449,670
Ordinations, Elders	3,310	1,822,119
Sealing, Wives to Husbands	119,263	640,977
Children Sealed	98,899	1,009,038
Adoptions	2,507	14,693
Special Ordinances	14,771	6,205
	<u>477,772</u>	<u>14,916,069</u>

(Lacking December, 1929, reports from three temples).

Certified by Duncan M. McAllister,
Records Custodian.”

4. *Doctrine and Covenants*, sec. lxxxiv.

5. See this *History*, chapter xliii and xliv.

MINISTRY OF THE MAN OF TWO WORLDS

It will be noted from this report that the volume of ordinance work for the dead far exceeds the volume of work done for the living, not only as presented here as being done in the temples for the living, but I mean more than all that has been done for the living both inside and outside the temples from first to last. In round numbers fifteen millions of ordinances performed vicariously for the dead, looking to the completeness of their salvation; of which ordinances nearly seven millions are baptisms for the dead, the beautiful sign and token of acceptance of the Christ and of salvation through him.

When the keys of the priesthood were restored by the hand of Elijah, as predicted by Malachi and explained by Moroni to Joseph Smith in his early visions,⁶ it is said that the mission of this man who was translated from earth to heaven, without tasting death, and made competent to minister freely in both heaven and in earth—belonging to both—that when he should come his work would plant in the hearts of the children the promises made to the fathers, and the hearts of the children would be turned to their fathers; and “if it were not so, the whole earth should be wasted at his [the Lord’s] coming.”⁷ Elijah came to the temple at Kirtland in 1836 to perform this part of his mission, to restore the keys of the priesthood that would have this turning effect of hearts of the children to the fathers, and hearts of the fathers to the children.⁸ And behold the beginning of the results of that mission in the statement of the work herewith submitted. Truly the hearts of the children have been turned to the fathers to assist in their salvation; and undoubtedly the hearts of the fathers have been equally turned in grateful appreciation of the work done for them by their children. If it had not been so, if there could be a world

6. *Malachi*, iii:5 and *Pearl of Great Price*, writings of Joseph Smith, ii:36-39.

7. *Ibid.*

8. See *Doctrine and Covenants*, sec. cx:13-16.

so lost to sympathy that having such an opportunity as is afforded by this doctrine and power to apply the same, restored by Elijah, to work for the salvation of the dead—it would be a world worthy to be wasted at the coming of an indignant Lord. But thanks to heaven, and the grace of God that still abides with man, the evidence is here supplied that there are those to be found in the earth who are responsive to the strong yet tender sympathy which unites the present generation with all past generations to bring to pass their salvation.

CHURCH EXPANSION: THE MISSIONS

Closely connected with this multiplication and dedication of temples in the recent years of the church has been the spreading abroad of the saints from the old centers of population in Utah and other regions of the Great Basin, the organization of new wards and stakes of Zion beyond these old limits; and the increase in the number of missions, the multiplication of chapels and stake houses, and the erection of permanent places of worship, chapels and churches in the missions. All this represents a church expansion that is truly marvelous. The church of the New Dispensation can no longer be thought upon as being limited by the boundary lines of Utah. The church in popular thought must now mean more than Utah. It is no longer “Utah and the Mormons” that used to be sung about as identical, but a larger and still expanding “Mormonism” that challenges our own admiration, and the attention of the world. At the present time the church has grown to the status of an empire-like mission in Europe, comprising eleven separate national missions. These are: the British Mission—England, Ireland, Scotland and Wales, considered as one; Swiss-German, Austrian-German, French, Norwegian, Danish, Swedish, Netherlands, Belgium, Czecho-Slovak, and South African Missions. Several of these missions are the results of reorganization or adjustment of their boundary lines during the

administration of President Grant. The British Mission, for instance, was separated from being identical in title with the European Mission, so that now it is given a separate organization, and is known as the "British Mission," one of the missions grouped under the larger title of the European Mission. This change of organization was effected in the later months of 1928, Elder William A. Lund—son of the late President Anthon H. Lund—being made the president, and now (April, 1930) holds that position.

MISSIONS IN THE UNITED STATES

In the United States and Canada and Mexico, are eleven missions, not federated, however, as yet; but each existing separately, presided over by a president respectively, unified, however, in their work, these missions, by more or less frequent—at least annual—visits by members of the apostles' quorum, a custom instituted within President Grant's administration. In the Pacific Islands there are six missions; and in South America one—twenty-nine in all.

THE STAKES OF ZION

The stakes of Zion outside of Utah are—three in Canada, one in the republic of Mexico, two in California, one in Colorado, four in Arizona, five in Idaho, the rest of the 104 stakes are in Utah.⁹

CHAPEL AND CHURCH BUILDING POLICY

In these stakes of Zion and in the respective ecclesiastical wards and branches comprising them, and in the missions, there have been multiplied, and more especially in late years, commodious churches and chapels and permanent mission headquarters, for the most part community houses providing sacred places for worship of Almighty God, and also for departmental educational work in the auxiliary organizations of the church; with halls and other quarters provided for the innocent amusements of the people of God. Combination

9. For explanation of stakes of Zion see chapter lxiii.

or worship and religious educational instruction, have always characterized the church buildings of the Latter-day Saints. It was so in the first church building (1835) erected by the saints—the Kirtland temple—it is still standing, though not in possession of the church. From then until now the religious structures have been community houses, making provision for worship and religious education, and latterly provision also for the proper indoor amusements and recreations of the people.

WHAT MAY COME OF THIS EXPANSION

The multiplication of these chapels and churches—community centers of worship, spiritual education, and recreation, in all parts of the territory occupied by the church, may be regarded as especially characteristic of President Grant's administration, and very frequently he attends and personally dedicates these structures. Never before in the history of the church has such an extensive and far-flung church and chapel building program prevailed. Never before, of course, has the church been so numerically great and so scattered over an area so large as to require so many places of worship, and spiritual education, and recreation as now; and never before has the church been financially able to inaugurate and maintain such a church and chapel building program.

The saints—the church, officers and members—may well rejoice in this multiplication of chapels and churches in the wards and stakes of Zion, and in the missions; for it is a growth-development unmistakable and substantial, worthy of all praise. Every chapel erected, however humble; every church builded, witnesses that a sacred altar is dedicated to the true and living God; a spiritual center created where the people may seek and find the truth as restored in the New Dispensation of the gospel of the Lord Jesus, and participate in the salvation that God offers anew to the world. Out of this spreading abroad and building program may grow some very important and far-reaching effects.

ZION: THE FOUNDING OF IT

Early in this first century of the organized existence of the church, the elders constituting the ministry were called upon to seek for and find and proclaim the place for the building of the city of Zion—a city of future glory, the “New Jerusalem” of the western world, America. Such a city is the subject of prophecy in the *Book of Mormon*, as we have seen and treated at length in Volume I of this *History*.¹⁰ These early elders of the church were directed to the place of the city of Zion in the western borders of the state of Missouri; purchased lands there designated, and consecrated the site for the future temple, and everywhere they went, and ever since they have proclaimed the place of the temple, and of the city of Zion, the *habitat* to be of “the pure in heart;” for “this is Zion,” said the Lord in those early days of our first century of organized existence as a church—“this is Zion, the pure in heart.”¹¹ This that the world might know that “Zion” was a state of mind, a status of righteousness of her people, as well as a place—a city of holiness. All efforts to found Zion in those early days, as we have seen in previous chapters of this *History*, seem to have ended in failures. Enough importance in those early movements was not attached to the fact of obtaining a knowledge of the location of the city and temple that was to be the center of the future spiritual empire of the Christ in the western world; and it seems to have been largely overlooked that God in the midst of these revelations, designating the place of Zion, and directing his servants in relation thereto, had said concerning the “residue of the elders of my church,” having reference to the elders not then immediately upon the sacred gathering place—“*the time has not yet come for many years for them to receive their inheritance in this land.*”¹²

10. Chapters xviii, xix, xx, xxi.

11. *Doctrine and Covenants*, sec. xcvi.

12. *Doctrine and Covenants*, sec. lviii:44, and context.

EXILES FROM ZION

When, in the course of the troublous events almost immediately following upon those days, the saints were forcibly driven from the place designated as the center place of Zion, great sorrow prevailed; and the saints so driven felt that they were exiles from Zion. The efforts to "redeem Zion" by the gathering of more people from the eastern branches of the church, and joining with those already there, and moving into the land in sufficient force to regain the lands already theirs, and purchase more and hold them under the law against all the efforts of their enemies to dislodge them, this effort also ended in failure, and a few years later all the saints were driven from Missouri, the designated land of Zion; and they took refuge in Nauvoo—exiles from "Zion," and apparently far removed from it. It was at this point in the development of affairs, however, and but shortly before his death, that the Prophet lifted the veil and enlarged the view of the saints respecting "Zion."

"THE WHOLE OF AMERICA ZION"

Jackson county, Missouri, while the center place and will remain so forever, yet it was not the whole of Zion; there were the "stakes of Zion" also; the outlying portions and approaches to the center place; and these constituted parts of the Zion conception—Zion, the city; and the stakes of Zion contributory thereto. "The whole of America is Zion," proclaimed the prophet.

"The whole of America is Zion itself, from north to south. * * * I have received instructions from the Lord that from henceforth wherever the elders of Israel shall build up churches and branches unto the Lord; throughout the states there shall be stakes of Zion. In the great cities, as Boston, New York, etc., there shall be stakes. It is a glorious proclamation, and I reserve it to the last, and designed it to be understood that this work shall commence after the washings, anointings, and endowments have been performed here [i. e. in Nauvoo]. * * * I shall leave my brethren to enlarge on this subject: it is my duty to teach the doctrine."¹³

13. The Minutes of the April Conference at Nauvoo are published in *Times and Seasons*; also in the *History of the Church*, Period I, vol. vi, pp. 318-19.

The church received this declaration of their Prophet with great manifestations of joy. It put them at ease respecting Zion and her redemption. The center place was known, and would not be moved; but meantime, anywhere throughout America, north or south, and, of course, east or west, no matter where in America, "stakes of Zion" might be organized, and they would be within the land of Zion and part of the Zion scheme of development.

BRIGHAM YOUNG'S VIEW

Brigham Young was especially happy in his grasp of the idea of the Prophet:

"It was a perfect sweep stakes [said he in his public discourse at this conference] when the Prophet called North and South America Zion. Let us go to and build the temple [i. e. at Nauvoo and then building] with all our might, that we may build up the kingdom when established and her cords lengthened. It is a perfect knock-down to the devil's kingdom. There is not a faithful elder (and I may say member), who cannot if he is humble and diligent, build up the church."

Such the vision of the Prophet Joseph in relation to Zion and his instruction to the church less than three months previous to his death. Then came his martyrdom in June following, and the two years of struggle with untoward circumstances that developed in western Illinois, in the midst of which, however, the temple was completed and dedicated, and the contemplated endowments given to many of the elders and saints, previous to the evacuation of Nauvoo and the departure of the church for the west.

THE FORCED FLIGHT OF THE CHURCH TO THE WEST

It should be noted, however, and as we have previously seen in this *History*,¹⁴ that before leaving Illinois a letter was addressed to each of the governors of the respective states asking for asylum for the church now compelled to leave Illinois; and that to this appeal not even a reply was received

14. Chapter lxix, this *History*.

except in the case of the governor of Arkansas, and in his case he urged removal to the west, where the church would be free from interference from neighbors, as the solution of their problems. There was nothing else left for the expatriated exiles to do, hence their trek to the west and settlement within the territory of a neighboring republic, Mexico. The district in which they had settled, however, soon became United States territory and again the fortunes of the Church of the Latter-day Saints became definitely connected with the fortunes of the great republic of the western world, if, indeed, it could be said that the ties which bound them together had ever been absolutely severed, notwithstanding the act of expatriation which sent the church of God into the wilderness. That wilderness, however, which became the *habitat* of the exiled saints, was still within the land of Zion, and therefore within the territory where the Prophet had declared it would be in accordance with the will of God for stakes of Zion to be established; and therefore with commendable zeal the saints gathered to this only place, under the circumstances, to which they could gather; and here they builded stakes of Zion, held the people together in community life, worked out their problems, raised an ensign to all the nations, sent out the message of God to them, built their temples, seven of them now, and contemplate building more, until the land of America shall be studded with them.

STAKE EXPANSION

And now, from this western center from which they have worked for three score years, an expansion is noted. Stakes of Zion, more than a hundred of them, have been established, in Canada, in Mexico, in California as well as in the states of the intermountain west. It requires no great stretch of vision to see also that stakes of Zion will soon be founded in the great central and southern valleys of the United States, where the missions of the church in those valleys are multi-

plying, converts increasing and chapels building. Chapels! So many altars to God—to the worship of the true and newly revealed God!

Along the Atlantic seaboard, too, the mission expansion of the church is taking place; and the time must come when the vision of the first Prophet of the New Dispensation shall be realized of stakes of Zion being founded in New York, Boston and other centers of the east; for the Atlantic ocean washes the shores of Zion as well as the Pacific; and the lands bordering the eastern sea are as legitimate places for stakes of Zion as the lands bordering the Pacific.

Meantime, under the present expansion policy of multiplying wards and branches of the church and building chapels and churches and temples everywhere, in all parts of the land of Zion, without regard to boundary lines of states or even of countries, and the multiplying of stakes—Zion is growing! “Though unobserved” the kingdom of the Christ has grown, until now the possibilities of it begin to appear in outline. Zion’s cords are lengthening; her stakes are being strengthened. It is not difficult to foresee how and ere long from such a growing, and instructed a people as are being trained in these multiplying stakes of Zion, there will be those who will be available, when the time shall have fully come, to arise and redeem Zion under the terms of and in fulfillment of the righteous law of God.

NOTE

THE COST OF TEMPLES

The following information concerning the cost of the respective temples is supplied by the courtesy of the Presiding Bishop’s Office:

Salt Lake Temple: Many years ago an estimate was made of the construction cost of the Salt Lake temple which extended over a period of 50 years.

The cost of this building was then estimated at.....\$4,000,000.00

St. George Temple: The telegram from the St. George temple says that in the opinion of the brethren there the present replacement cost, including grounds, water system, etc., would be approximately

1,000,000.00

<i>Logan Temple:</i> The telegram from President Joseph R. Shepherd, says that in his opinion, in the absence of definite records, the cost was not less than.....	770,000.00
<i>Manti Temple:</i> The telegram from President Lewis Anderson says the building cost approximately....	1,000,000.00
<i>Hawaiian Temple:</i> The estimated cost of the Hawaiian temple, part of which was paid out of sugar plantation income is	256,000.00
<i>Alberta Temple:</i> The expenditures connected with the construction of the Alberta temple, as passed through the Presiding Bishop's Office, show the cost of the building to be	997,000.00
<i>Arizona Temple:</i> Payments on this temple were made through the Office of the Presiding Bishopric. The records show that it cost	767,000.00
Total cost of temples	<u>\$8,790,000.00</u>

CHAPTER CLXXXVI

EDUCATION IN UTAH, STATE AND CHURCH

RECURRENCE to the departure of the church from Illinois to the west will bring into full view the interest of the Latter-day Saints in, and the preparations made for, the education of the youth of the people in the new home. From the first the Illinois—the United States—exiles were mindful of and made preparations for that. When the ship *Brooklyn* was made ready for her voyage from New York harbor to the western coast of Zion, San Francisco Bay, school books in large quantities were taken along, spelling books, histories, books on arithmetic, astronomy, grammar, geography, Hebrew grammars, charts, slates, are named as being in the collection for “the education of the youth;” while a gift of 179 volumes of *Harper’s Family Library* was made to the colony by Mr. J. M. Van Cott, and was brought to the Pacific coast as a choice possession.¹

PREPARATIONS FOR EDUCATION IN THE NEW HOME

At Nauvoo it was part of the instruction of the council of the twelve apostles in making preparations for the great movement to the west that W. W. Phelps, an enthusiast on education, provide books to be taken to the new location for the education of the youth.²

In the “General Epistle” issued by the twelve in December, 1847, from Winter Quarters “to the Latter-day Saints throughout the earth-greeting,” it was said on the subject of education:

“It is very desirable that all the saints should improve every opportunity of securing at least a copy of every valuable treatise on education—every book, map, chart, or diagram that may contain interesting, useful and attractive matter, to gain the attention of chil-

1. See this *History*, chapter lxxi.

2. This *History*, chapter lxix.

dren and cause them to love to learn to read; and also every historical, mathematical, philosophical, geographical, geological, astronomical, scientific, practical, and all other variety of useful and interesting writings, maps, etc., to present to the general church recorder, when they shall arrive at their destination, from which important and interesting matter may be gleaned to compile the most valuable works on every science and subject, for the benefit of the rising generations.”³

These suggestions were followed by the migrating saints, with the result that from the books, charts and maps hauled across the plains and over mountains by ox wagons, within the two years following, a free public library was opened in Salt Lake, in 1850.

SALT LAKE CITY'S FIRST SCHOOL

Before the end of October, 1847, a school for children was begun within the fort at Salt Lake, newly built, taught by Mary Dilworth. In the General Epistle issued from Salt Lake City by the first presidency in the spring of 1849, they said: “There has been a large number of schools the past winter, in which the Hebrew, Greek, Latin, French, German, Tahitian and English languages have been taught successfully.” What may be called the evident “penchant” of this Pioneer community for the classical languages (and the Tahitian) arose, as it did in their temple schools at Kirtland, from their preparations to teach the truths of their New Dispensation in all the world. For such was their mission to be, notwithstanding their present isolation from the world.

THE UNIVERSITY OF DESERET

One of the early acts by the legislature of the “State of Deseret,” made up exclusively of Latter-day Saints, was an act for the creation of the “University of Deseret,” the precursor of the present State University of Utah. This in February, 1850. That was “before Utah was Utah,” as the act of congress creating the territory of Utah did not become a law until September of that year. This first in-

3. This *History*, chapter lxxxiv and footnote 12.

stitution of higher education was given a chancellor and a board of twelve regents.⁴ Orson Spencer, a graduate of the Theological Seminary at Hamilton, state of New York, was made chancellor. The chancellor and regents held their first meeting on the 13th of March, 1850, at which a committee of three was appointed, in connection with the governor, to select a site for a university building, and also location for buildings for primary schools.⁵ In reporting this action of the legislature the third general epistle of the presidency of the church from Salt Lake City (1850) said:

"The general assembly of 'Deseret' have held an adjourned session, at intervals, through the winter, and transacted much important business. * * * They have also chartered a state university on the most liberal principles, to be located at Great Salt Lake City, with branches throughout the state, if wanted; and appropriated for its benefit \$5,000 per annum for twenty years out of the public treasury, all of which will be under the supervision, direction and control of a chancellor, twelve regents, secretary and treasurer who will no doubt publish their intention with this mail."⁶

It is recognized, of course, that these early efforts at the establishment of an institution of higher education but represented the aspirations of the part of the community that could appreciate that sort of thing, the college people among them, of whom there was an unusual number for a frontier community.

Professor Levi Edgar Young, of the department of history at the University of Utah enumerates as among the men of high culture and early arrivals in Salt Lake valley:—

"Willard Richards, who was a physician, a theologian and a journalist; Dr. John M. Bernhisel, a graduate of the University of Pennsylvania; Orson Pratt, who in the estimation of Richard A. Proctor, was one of the four great astronomers of his time. He was a mathematician and a scholar of the classic languages. Orson Spencer, the first chancellor of the University of Deseret, was graduated from the Theological Seminary at Hamilton, New York, having prepared himself

4. The subject is discussed in this *History*, chapter lxxxiv. Chapter lxxxix. *Utah Educational Review*, Professor Levi Edgar Young, etc., also in this *History*, chapter xci. Also *Frontier Guardian*, June 12, 1850.

5. *History of Brigham Young, Ms.*, 1850, p. 25.

6. The epistle bears date of April 12, 1850, *Millennial Star*, vol. xii, p. 244.

for his higher degree at Lenox Academy and Union College, in the state of New York; Jesse W. Fox, educated at the Jefferson County Seminary, New York, made mathematics his major, and in the settlement of Utah, surveyed the sites of Salt Lake City, Provo, Ogden, Manti, Fillmore, and Logan. Albert Carrington was an assistant on the United States Exploration and Survey, under the direction of Howard Stansbury, captain of the Corps of Topographical Engineers, United States Army, in 1850-52. Hosea Stout, Zerubbabel Snow, W. W. Phelps, James Ferguson, Daniel H. Wells, William Clayton, John Taylor, * * * Aaron Farr, Samuel W. Richards, Julian Moses, were all professional men, and took a leading part in building the schools and seminaries of Utah in its early days.”

But the founding of a University among so small a people, in the midst of pioneer conditions, with all the problems of maintaining individual and community existence, pressing upon them, rendered impracticable, for a long time, the realization of those aspirations however praiseworthy it was for the community to entertain them. Primary education, however, was their first community need rather than the unattainable higher educational institution; and this their experience soon taught them.

On the second Monday in November, 1850, the University was for the first time opened for the reception of students, Dr. Cyrus Collins was placed in charge as instructor, but within the year he was succeeded by Professor Orson Spencer, and he by W. W. Phelps. “Owing, however, to the immature condition of its finances, as well as to its limited patronage,” says the chancellor and board of regents for the year 1884-5, “notwithstanding it had been made a free school institution, the department of instruction was soon discontinued, the university continuing for many years in abeyance and having but a nominal existence, until 1867.” Then a department of instruction was organized under the name of the “University” but was conducted chiefly as a commercial college under the supervision of Mr. D. O. Calder. It so continued for two years, 1869.

7. See *Educational Review* for June, 1913, published under the auspices of The University of Utah. Also *Deseret News* of June 2, 1913, editorial.

THE COMING OF DOCTOR PARK

Then came Dr. John Park, when the university in name only until then was more fully organized "as an institution for scientific normal and classic instruction."⁸ Dr. Park's clear conception of the needs of the institution now placed under his charge may be learned from his report to the chancellor and board of regents made on conditions existing in 1882-3.

"No institution that contemplates such a broad field of instruction and usefulness as a university can be successfully carried on without ample and permanent means of support. Such an institution should be placed beyond the inimical influence of personal whim, popular gossip, and the uncertainty of fickle, or temporary patronage. The university needs a sure support, and its patronage should be well established. Both of these conditions are essential to its purpose and prosperity. No hand to mouth existence will ever create confidence in the institution or enable it to carry out successfully any plans for thorough instruction."⁹

Undoubtedly it was Dr. John R. Park who breathed into the mere name, and a mere community aspiration for a university, the breath of its life.

LIMITATIONS OF UTAH'S EARLY SCHOOL SYSTEM

The school system of early Utah, of course, suffered from the limitations of pioneer conditions which obtained. From the isolation of the respective communities imposed by the long distances separating them both from each other and also from the more populous centers of east and west; from the imperfect means of communication and slow methods of travel; from the imperfect territorial system of government enforced upon the people of Utah far beyond any reasonable time for its continuance—forty years at least beyond such time; for there can be no question but that Utah,

8. See Report of Chancellor of the University (by now George Q. Cannon) and Board of Regents for 1884-5, page 6.

9. Dr. Park's Report to Chancellor and the Board of Regents, copied into and made part of the Report of the Chancellor and Regents to the Utah legislature, 1882-3, p. 14.

by 1856, was prepared for and deserved statehood by reason of her population, wealth, real and potential, and by her heroism in making conquest of a desert wilderness and proved ability for self-government. But statehood was withheld until 1896! Those "forty years" represented a journey in the wilderness truly. Not a wilderness alone of desert wastes and comparative isolation from more favored sections of the great republic, but a wilderness of injustice and unfair treatment of a community worthy of, and capable of, the management of their own affairs. Meantime, there was forced upon them an un-American system of government by which political adventurers not of the local community, and without either sympathy or interest with it, were given the chief offices of the local government, provoking conflicts which hindered progress, including progress in the educational interests of the "Mormon" state by which, however, is meant no more than the state which for the period mentioned happened to be the *habitat* of the Latter-day Saints, who formed the overwhelming majority of the state's population.

THE HALTING OF HIGHER EDUCATION

In this connection, perhaps, the reader will recall the account of the controversy between the federal-appointed governor of Utah, Eli H. Murray, and the people-elected legislature of Utah over the appropriation for completing the University Building upon Union Square granted by the corporation of Salt Lake City for that purpose; and how the governor appointed from Kentucky held up the appropriation of the people-elected legislature appropriating money of the people, paid in taxes, by refusing to sign the appropriation bill that provided money for the building; hoping thereby to enforce his claimed right to make the appointment of the chancellor and board of regents, instead of accepting the appointment of these officers as provided by the local territorial law, by the legislature; and how the situation

was cleared up for the university building by private "Mormon" citizens contributing the necessary funds to proceed with the work of the building.¹⁰

True, as stated in the citation given below, the legal right of the governor to make the appointment of officers in question was finally sustained by the supreme court of the United States, yet that does not square the action of the federal-appointed governor from Kentucky with the development of education in Utah; and only emphasizes the infamy of the territorial system of government when prolonged beyond the very primitive conditions of a community's life.

During that territorial period the public lands usually granted to states for educational purposes were not made available in Utah and not until statehood was achieved was the general government's bounty for educational purposes in public land grants, realized in Utah.¹¹

PROGRESS DESPITE HANDICAPS

Notwithstanding these handicaps, however, Utah through the interest of her people in education, and the liberal appropriations of her legislatures, all through the territorial period and since, statehood, and all the while with a majority of "Mormon" members in those legislatures, and therefore Latter-day Saint responsibility for the legislation enacted, good or bad, there has been developed in Utah a system of free, compulsory, secular state education, from kindergarten through grade schools, junior high schools, high schools and the state university, of which Utah may be justly proud, and which with conditions of population and wealth considered, ranks high with the foremost states of the American Union.

All this, of course, has been by means of slow development from most primitive conditions of independent communities of small means, lacking competent professional

10. See this *History*, chapter clvii.

11. See the Enabling Act, published in proceedings *Constitutional Convention* (Utah), 1895, vol. i, pp. 4-8.

teachers, served sometimes, in fact, by those who were but little in advance of those whom they taught, and this sometimes in schools intermittently held and for but a few months of the year. The means relied upon for support at first was tuitions. There was nothing which gave unity to educational effort. The coming of state taxation for school support was slowly developed. The merging of small districts into larger units and to county units was slower still. Yet those who scoff at the early efforts and slow development of Utah's educational interests, and especially those who assume that practically nothing worth while was done in this direction until the favorable legislation and the forward movement because of it in 1890, do Utah's people previous to that time a great injustice. On this head Professor William Roylance of the University of Utah, and at the time—1898-1900—writing as the assistant state superintendent of public instruction, said:

"The remark is often heard that our present school system—or free school system—was organized in 1890. It is even said, and, apparently quite widely believed, that Utah had no schools to speak of until 1890. No remark could be more unjust to the brave, hardy and progressive men and women who settled and built this state. Our schools began when Utah began, and they have grown as Utah has grown. Many of the ablest men and women of today received their education in the public schools, before 1890, and their words and deeds alone are sufficient to indicate the kind of training that was given them. 1890 was, it is true, an important epoch in the history of education in Utah; but no one at all acquainted with the previous history of Utah could take this date as that of their beginning. Indeed, it is difficult to imagine how education in Utah could have begun at that time. It would be like a plant bursting at once into full bloom, without having passed through the natural states of growth. From the facts given above—and many others might be presented—it is plain that education in Utah has been no exception to the universal laws of growth; that it has passed through all the natural stages, and is therefore not hothouse exotic, and that we are indebted to the early settlers of the country for the greater part of the excellent educational advantages which we now enjoy."¹²

Professor Roylance was not a "Mormon."

Let it be said in connection with this Utah progress in

12. State School Superintendent's Biennial Report for 1898-1900.

educational development, that the stable non-"Mormon" population of the state of Utah are entitled to credit for a full proportionate share of it, since the taxation of their wealth with the taxation of the "Mormon" wealth has made this development possible. And, moreover, coming into the state through the years from time to time and from older settled parts of the republic and larger centers of population and more highly developed systems of education, at the time, their voiced contrasts and complaints against the less developed educational system of the newer and less favored state, led to stimulation of effort among the people until the present desirable and praiseworthy conditions of state education has obtained in Utah.

In support of all this the reader may find complete authorization in the state published *Second Report of the State Bureau of Immigration, Labor and Statistics, 1913-1914*.¹³ Also in the same report for 1917.¹⁴ The first report is the most complete and gives authorization for all the claimed interest that the people of Utah—largely a Latter-day Saint community—have manifested in the development of a splendid system of state education. In the matter of high school development in the second state document quoted above, Professor Mosiah Hall—state high school inspector (1917)—says for instance of the growth of high schools in the state:

"In a little more than a decade the high schools have increased from five small schools, with a total enrollment of 1,000 to 45 flourishing institutions, with an enrollment of approximately 10,000 students. There are four counties only in the state where public high schools are not yet established, and in three of these secondary education is therefore not hot house exotic, and that we are indebted to the early school education is available. Probably no other state in the Union can show during the same time a greater ratio of growth. It seems to indicate that the people of this state are abreast of the times, and in common with the people in other states believe in high school movement."

13. pp. 256-286.

14. pp. 279-293.

THE CHURCH AND EDUCATION

It is, however, with education as it is related to the church that I am here most concerned, and as it affects the church, without respect of particular state or country boundary lines.

It has always been an ideal of the Latter-day Saint leaders and the church members themselves, instructed by those leaders, that education should include daily religious training as well as intellectual, physical and industrial training. But also there has been a recognition of the extreme difficulty of introducing into state-supported schools religious instruction, lest it become sectarian in its character, a thing utterly undesirable in a community or state or nation where all religions have equal standing before the law, where sectarian variations are so complex a thing as in the United States, and where people are so sensitive respecting particular forms of creed and worship. The only solution that presents itself under such circumstances is to provide purely secularized systems of education for state-supported schools—schools supported by taxation of all the people—leaving religious instruction to be imparted by other agencies. These may be provided by the churches establishing separate schools from those of the state, sustained each by its respective denomination; others may regard the churches and their agencies of Sunday Schools, special prayer meetings, or other religious meetings, and especially the home, as a center of religious, moral, and spiritual influence and life, as being all-sufficient for religious instruction.

With some earnest religionists, however, this does not provide all the opportunity for religious instruction for the youth that is desirable. Running parallel with secular, intellectual, physical, and industrial education should also be, in their view, daily religious instruction, religious training; and hence church schools in the land supported by religious denominations respectively establishing them.

CHURCH SCHOOLS

Such is the intensity of religious conviction with the Latter-day Saints and such their desire to have daily religious instruction run parallel with secular instruction that they assumed the added burden of financially sustaining church schools under their own church leadership, which would bring to them the desired advantage of religious instruction and training with secular education. This led to a more or less elaborate church school system—combining religious and secular instruction within the territory occupied largely by the church. To create and supervise this educational system there was appointed a General Church Board of Education, having jurisdiction over the whole movement; also in each stake of Zion is appointed a Stake Board of Education to supervise the interests of church education in the respective stakes.

THE CHURCH ACADEMIES

It was apparent from the first by those at all familiar with the expense and other difficulties of maintaining an educational system, that the church could not assume the full responsibility of maintaining a complete secular educational system through kindergarten work, primary or grammar schools, high schools and university; and hence the Latter-day Saints did not attempt such an undertaking. What they strove to do, however, was to use such auxiliary organizations as met on the week days, the primary associations and religion classes of the church, to so adjust their work as to coordinate it—as to time—with the common schools that each day would bring to Latter-day Saint pupils, who desired it, or whose parents desired it, religious exercises constituting suitable religious training. In all this, it should be said, nothing was compulsory. In a very few cases where teachers in the grade schools were Latter-day Saints, and entirely willing and agreeable to the undertaking, after the dismissal of the school for the day, the pupils willing to stay for it, received thirty

minutes of religious instruction. But as this procedure in some instances met with criticism and objection, it was abandoned and all religious classes and exercises were conducted separate from the grade schools and their teachers; and the church so far as it aimed at establishing church schools, confined its efforts to the founding of schools of the high school grade under the title of "stake academies."

TEACHER TRAINING SCHOOLS

The matter of especially trained teachers for the work contemplated in the church school system was a matter of capital importance; and one which was carefully provided for by the church leaders in educational affairs. As early as 1875 President Brigham Young founded the Brigham Young Academy, since and now (1930), the Brigham Young University, at Provo, Utah; and two years later the Brigham Young College in Logan, *viz.*, in 1877. The institutions, of course, by their deeds of trust reflected the great Pioneer's ideas of education. Provision was made, we may say, of course, for the usual intellectual and cultural subjects of such institutions; and also for courses in industrial work and an elaborate course of instruction in religion. These two institutions more especially became the training schools for teachers of the church schools which were to follow.

It should be said in this connection that the courses offered for this purpose in these institutions were worthy of all praise. In the first, the Brigham Young University, provided a four years course leading to a degree of Bachelor of Arts and was designed to prepare teachers for high school work.

A two years normal course was also given by the Brigham Young University and also by the Brigham Young College at Logan, designed for teachers of elementary schools.

The church activities in the founding of schools called academies, but doing chiefly work of high school grade, and a

number of seminaries doing elementary work was intense in all the intermountain territory, extending from Alberta, Canada, through its Idaho, Utah and Arizona settlements to several points in northern Mexico. In all, nineteen academies and eight seminaries and the three institutions, Brigham Young University at Provo, the Brigham Young College at Logan and the L. D. S. University at Salt Lake City, though the last, notwithstanding its name, never rose above the commercial college, and junior college grade. This was the status of the church school system according to the report of it in June, 1913, when the system had reached its highest development.¹⁵

DEVELOPMENT OF HIGH SCHOOLS

Meantime, however, high schools in the states where this church system had arisen, rapidly increased in number and developed without regard to the existence of the church academies; and since the church schools—academies—or junior colleges, necessarily had to be sustained, in part at least by payment of tuitions and personal bequests from favorably disposed patrons, and church appropriations, and the state high schools were sustained by the same communities by taxation, the burdens of the people for high school education were very great. As secular education in the church academies filled the larger volume of the activities therein, there was much duplication; and as the church had never assumed the responsibility for secular education, though it had established many schools in which such education was given, it was recognized on the other hand that the state was definitely responsible for secular education; and therefore in this matter of duplication, if the people were to be relieved of the burden, then it must be the church schools that must vacate the field since the state could not vacate it. It was wisely determined that the church would retire from the field of secular education and transfer the church academies to the

15. See article in *Deseret News*, of June 5th, 1913.

public school system, charging only nominal prices for their school buildings.

THE CHURCH SEMINARY SYSTEM OF RELIGIOUS INSTRUCTION

There was to be no abandonment, however, on the part of the church, in providing daily religious instruction in connection with secular education. A system of schools, teaching religious subjects exclusively, were to take the place of the academies and to be known chiefly as seminaries, and under the supervision of the same general church and stake boards of education. This transfer from academies to seminaries, however, is being accomplished gradually. The first seminary to be founded and this in the nature of an experiment, was at the Granite Stake High School in the vicinity of Salt Lake City. Of course, the state school board and other authorities in the Granite district were favorable to the establishment of such an institution. The building was erected near the Granite High School for convenience of pupil attendance, and its doors opened in September, 1912. From the first it proved successful and out of this experience came the founding of other seminaries that were generally so successful that the conviction became established that the wiser plan for getting religious instruction imparted in connection with daily secular education would be by providing for such week-day religious instruction solely through seminaries, rather than by multiplying church academies, with their duplication of secular high school courses.

The necessary corollary to this conclusion was the abandonment of the academies already founded by transferring them to high school districts. This process of transfer is now going on; and where the academies are not transformed into state high schools, they are raised in grade to junior colleges; and these in time, under the present policy, will doubtless become state schools.

The first church academy transferred to the state was the Summit Academy (Utah) in 1913; and the last the Big

Horn Academy (Wyoming) in 1924. The idea follows of closing even the junior colleges of the church and establishing seminaries adjacent to the state institutions. The first junior church college closed was the Brigham Young College at Logan, and the former week-day religious instruction given there is transferred to seminaries stationed at the Logan High School, and the Utah Agricultural College. Undoubtedly such transfers will continue to go on until the church seminary system will entirely supplant the church academy and junior college system, with all its duplication of secular education. Indeed, such may now (1930) be regarded as the settled policy of the church, that is to say, the church will as rapidly as possible withdraw from the field of secular education and devote the means the church can afford to the department of education to the development of the seminary system with the idea that eventually a seminary will be established at every high school, college and university where the young people of the church attend in sufficiently large numbers to warrant the founding of such institutions for imparting week-day religious instruction, accompanying secular education.

PRESENT OUTLINE POLICY OF THE CHURCH FOR THE RELIGIOUS EDUCATION OF ITS YOUTH

As matters now stand with the church respecting this effort to provide religious instruction and training in connection with the daily secular education, the plan is: First, the primary organization, long established as a church auxiliary organization meeting from the first on a week day for the religious instruction and training of children, to be used for religious instruction for elementary state school children of Latter-day Saint parentage from the kindergarten through all the grades to the sixth. Then, second, provide for religious instruction, through junior and senior seminaries, taking all the grades beginning with the seventh, through all the junior

and senior high schools; continuing into the colleges and universities, through the institutes.¹⁶

INSTITUTES

The institutes, of course, are but "seminaries" of higher grade. Already institutes have been inaugurated at Moscow, University of Idaho (the first to be established); at Logan, to serve the Utah Agricultural College students; at the southern branch of the University of Idaho at Pocatello. President Heber J. Grant dedicated the building in which the institute is housed on the 27th of October, 1929. A lot on which to erect an institute building has been purchased at the Arizona State Teachers College, at Flagstaff. Invitations to establish institutes have come from the University of Wyoming, at Laramie, and from the University of Arizona, at Tucson.

The institutes are the latest development of the Latter-day Saint church system of religious education, designed to couple religious influence and religious knowledge and training with secular education.

16. Letter from commissioner of education (L. D. S. Church) to the author, date of Dec. 30, 1929.

CHAPTER CLXXXVII

OTHER INCIDENTS IN PRESIDENT GRANT'S ADMINISTRATION

OTHER incidents in President Grant's administration have to do with anniversaries.

I. THE VISION

Among these is the rather notable celebration of the one hundredth anniversary of Joseph Smith's First Vision. This was made the feature of the April conference of 1920, and the event was celebrated by special services at Salt Lake City and throughout the church. Evan Stephens' cantata "The Vision," especially prepared for the occasion, was rendered in a crowded tabernacle at Salt Lake City. Throughout there was a general time of rejoicing had in the stakes of Zion and in the missions of the world.

II. REVEALED EXISTENCE OF THE BOOK OF MORMON

On the centennial anniversary of the revealed existence of the plates of the *Book of Mormon* by the Angel Moroni, a celebration by the Eastern States Mission was held at the Joseph Smith farm near Palmyra, New York, and at the Hill Cumorah, continuing through three days, from and including September 21st to the 23rd, 1923. President and Sister Grant honored the occasion by their presence; as did Elder Rudger Clawson, president of the apostles' quorum, and Elders Joseph Fielding Smith and James E. Talmage, members of the same quorum. President John H. Taylor of the Northern States Mission and wife (eldest daughter of President Grant) were also present. The exercises throughout the conference were largely reminiscent of the events which revealed the existence of the *Book of Mormon*. All that happened in those events was worked up into brief written epochs and read by missionaries appointed from various parts of the

mission. After which these epochs were the subjects talked to by those addressing the meeting in which such respective epochs were introduced. Three meetings were held each day; those held in the morning and afternoon alternating between the Hill Cumorah and the Sacred Grove; the evening meetings being held in a large assembly tent set up adjacent to the Smith Farm Home. The third day of the celebration fell upon Sunday. The forenoon meeting was held Sunday morning in the Sacred Grove, where the holy sacrament was administered to the large assembly of saints and elders of the mission. It was an unusual meeting and the Spirit of God was richly poured out upon the people in this "First God's Temple" of the New Dispensation, where Joseph Smith received his first great vision of God the Father and the Son! Fittingly was it written on the programs of the services—

"The groves were God's first temples. Ere man learned
To hew the shaft and lay the architrave,
And spread the roof above them—ere he framed
The lofty vault together and rolled back
The sound of anthems; in the darkling wood,
Amidst the cool and silence, he knelt down
And offered to the Mightiest, solemn thanks
And supplication."¹

Referring to Joseph Smith's coming to this one of "God's First Temples," "the Sacred Grove," the present writer ventured to say on that same program:

And now came one to this grove, as to a solemn temple,
To submit his mind and his will to God—
Man's highest act of worship—self-surrender.

The afternoon session that day was held on the crowning summit of Cumorah; and in the evening in the tent. Throughout it was a successful and long to be remembered event by those in attendance. Several of the great New York daily papers had expressed the intention to the president of

1. William C. Bryant.

the Eastern States Mission to send staff reporters and photographers to write up illustrated articles of the proceedings, but unfortunately that was the week during which the employees of the respective great daily papers of the metropolis went on a strike and no papers were published by them except in small four page numbers; hence the Cumorah gathering failed of this anticipated publicity. The local papers in the surrounding counties, however, for the most part, gave fair and rather full representations of the proceedings. The editor of the *Rochester* (New York) *Herald*, who himself was at the conference, wrote up a graphic account of several of the meetings in the course of which at one point he said:

AN UNFOLDING GRAPHIC PANORAMA

"Unfolding like some graphic panorama of the past, epic in implications and dramatic in content, the story of an ancient civilization that peopled the plains and hills in this vicinity was the chief topic of discussion before the Centennial Conference of the Church of Jesus Christ of Latter-day Saints today. Reaching so far back into the dim yesterdays of history, back to days more than 2,500 years ago, this story came with a strange emphasis in the very places where its climaxes and denouements are supposed to have been reached. The narrative is the very basis of Mormon theology and belief and leads directly up to the revelation given through Joseph Smith of the foundations of the Mormon church."

Again:

THE SIMPLICITY OF A NORSE SAGA

"The speakers at the conference told the story with the simplicity and directness of a Norse Saga. As point after point of the drama of the lost tribes, of their rise to a great civilization and of their final downfall in the bitterness of war was related, those not conversant with the tale were gripped and fascinated by the strangeness of the recital, and when a speaker dramatically pointed to the earth and mentioned that upon the very spot where he stood some of the epic events might have taken place, there was a decided thrill to being there."²

It was estimated that during the conference from two to three thousand people were in attendance from first to last,

2. *The Rochester* (N. Y.) *Herald*, September 22, 1923.

beside the one hundred and fifty or one hundred and sixty missionaries who attended. These missionaries had come from all parts of the mission then comprising twelve states; all the six New England states and from all parts of New York, Pennsylvania, New Jersey, Delaware, Maryland and West Virginia. The elders had come on foot through these states preaching by the way. They had carried in full and prominent view a blue pennant on which was inscribed in white letters the word *Cumorah*, announcing the objective of their march, advertising their presence and message as they journeyed through the respective states. The lady missionaries of course came to the conference by train or with their friends in automobiles.

III. DELIVERANCE OF THE GOLD PLATES TO JOSEPH SMITH

Four years later, President Grant and part of the Eastern States missionaries with their mission president, Judge Henry H. Rolapp, Charles H. Hart, president of the Canadian Mission, and other leading brethren and sisters of the church, attended the one hundredth anniversary of the deliverance of the gold plates of the *Book of Mormon* to Joseph Smith for translation. Again meetings were held at Cumorah and at the Sacred Grove, and again with great rejoicing, in the advent of this anniversary of so important an incident in the New Dispensation movements.

CHURCH LAND PURCHASES IN THE VICINITY OF CUMORAH

In connection with these celebrations in the Palmyra vicinity, in the Sacred Grove at the Smith Farm and on the crowned heights of Cumorah, it is proper to mention the purchase of the several parcels of land under the administration of President Grant, which gave to the church possession of the Hill Cumorah and a large acreage immediately surrounding it. These were, first, the purchase of the Inglis farm of ninety-six acres lying on both sides of the Canandaigua-

Palmyra road, running along the western edge and extending about one-third the distance up the hill Cumorah; a second purchase of land adjoining this, made on the 17th of February, 1928, from the heirs of Pliny T. Sexton, known as the Mormon Hill Farm, brought into the possession of the church the whole of the Hill Cumorah, and a surrounding acreage (including the Inglis purchase) of 283 acres.

Sometime previous to this, namely, on September 26, 1926, the church purchased of Joseph H. Manges and wife what was known as the "Peter Whitmer Farm," the old homestead of the Whitmers, Fayette, Seneca county, N. Y., where the "Church of Christ in these last days" was "regularly organized—in the fourth month, and on the sixth day of the month which is called April," 1830. On the farm so purchased stands a substantial and large farm house, which if not the very house in which the church was organized, is at least a house of about that period, and as such is an object of great interest. The question of identity, however, has not yet been fully determined.

EARLY LANDMARKS NOW OWNED BY THE CHURCH

These several late purchases brought into the possession of the church all the old landmarks of the early days of the church in the eastern states, where that church was cradled. These comprise:

The old Mack Farm in the state of Vermont, the birth-place of the Prophet of the New Dispensation;

The Smith Farm near Palmyra, being the old homestead of the Smith family, cleared by them from the primeval forest, and the scenes of Joseph Smith's early experiences in visions and revelations;

The Hill Cumorah, place of concealment of the Nephite Record, the sacred gold plates of the *Book of Mormon*, and the place of the four annual visits of the Prophet and the Angel Moroni, for the instruction of the Prophet relative to the work to be brought forth in the last days;



BURIAL PLACE OF THE PROPHETS JOSEPH
AND HYRUM SMITH

On the banks of the Mississippi, Nauvoo, Ill.

The Peter Whitmer Farm where the church was organized—cradle place of the church of the New Dispensation.

A SACRILEGIOUS ACT

Somewhat connected with this idea of Latter-day Saint sacred places, or shrines, was perpetrated a sacrilege, no less, by the leaders of what is known as the "Reorganized Church of Latter-day Saints," or "Josephite church;" and more especially by Mr. Fred M. Smith, president of the aforesaid "church," and grandson of the Prophet Joseph Smith. This in the month of January, 1928, and by an alleged "inspired search" through six days with the aid of "surveyors and engineers," which led to an alleged "discovery" of the burial place of his grandfather, Joseph Smith, the Prophet, and his grand uncle, Hyrum Smith. Fred M. Smith was announced in the press reports to the *St. Louis Post Dispatch*, making known his "discovery," as saying: "That this sets at rest forever those many rumors we have heard about the spiriting away of these remains." Or as another paper (*The Quincy Herald Whig*) states the matter, "The officials of the Reorganized Church say they have found it necessary to repudiate statements emanating from the Utah branch of the church that the bodies were in Utah."

The burial of the Prophets, Joseph and Hyrum Smith, and the removal of their bodies to the banks of the Mississippi where they rested in peace until "discovered" and sacrilegiously disturbed by Mr. Fred M. Smith, in January, 1928, is briefly chronicled in this *History*, Chapter lviii and footnote 12, where a full account of the burial is promised, and is here given:

THE ACCOUNT OF THE BURIAL OF JOSEPH AND HYRUM SMITH

(The time is Thursday, June 29th, 1844): "At 8 a. m. the room was thrown open for the saints to view the bodies of their martyred Prophet and Patriarch. * * * from 8 a. m. to 5 p. m., at which hour a request was made that the Mansion should be cleared, so that the families could take their farewell look at the remains.

The coffins were then taken out of the boxes into the little bedroom in the northeast corner of the Mansion, and there concealed and the door locked. Bags of sand were then placed in each end of the boxes, which were then nailed up, and a mock funeral took place, the boxes being put into a hearse and driven to the graveyard by William D. Huntington, and there deposited in a grave with the usual ceremonies.

This was done to prevent the enemies of the martyred Prophet and Patriarch getting possession of the bodies, as they had threatened they would do. * * *

About midnight the coffins containing the bodies were taken from the Mansion by Dimick B. Huntington, Edward Hunter, William D. Huntington, William Marks, Jonathan H. Holmes, Gilbert Goldsmith, Alpheus Cutler, Lorenzo D. Wasson and Phillip B. Lewis, preceded by James Emmett as guard, with his musket.

They went through the garden round by the pump, and were conveyed to the Nauvoo House, which was then built to the first joists of the basement and buried in the basement story. * * *

The bodies remained in the cellar of the Nauvoo House, where they were buried, until the fall, when they were removed by Dimick B. Huntington, William D. Huntington, Jonathan H. Holmes and Gilbert Goldsmith, at Emma's request, to near the Mansion and buried side by side, and the Bee House then moved and placed over their graves."

The above is from the *Deseret News* of November 25, 1857, published in Salt Lake City. The same historical statement *verbatim* is found in the *Millennial Star* of August 9, 1862, which was republishing at the time this history from the *Deseret News*.

This historical narrative of the burial of Joseph and Hyrum Smith from the two preceding periodicals was published in book form under the title of the *History of the Church of Jesus Christ of Latter-day Saints*, Period I, vol. vi, chapter xxxiv, and includes the above excerpt from the *Deseret News* and *Millennial Star*. This has been the continuous history of the burial and burial place of the two martyrs before the people of Utah and all the world.

SELF-STULTIFICATION OF MR. FRED M. SMITH

But the strangest thing about this Fred M. Smith sensational "discovery" of the burial place and bodies of the Prophets is the attitude of Mr. Fred M. Smith. The press

dispatch announcing this "discovery" represents that Joseph Smith the III, oldest son of the Prophet, some years before the "discovery" took this same Fred M. Smith to Nauvoo where he was told by that father that Joseph Smith the Prophet, and Hyrum Smith, his brother, were buried "under the spring house, at the old Smith homestead." The "spring house," however, "had fallen into decay and no trace of it remained;" but the father remarked to the son—Mr. Fred M. Smith—"when the time has come you will find the bodies without any trouble." And of course, why not? At that time the location of the graves was designated as being where the "spring house" had stood, so that Mr. Fred M. Smith has known during those years at least, since his father gave him that information, the place where the bodies were buried.

Stranger yet: William A. Linn, whose work, *The Story of the Mormons*, was published in 1902, gives the body of a letter from Fred M. Smith respecting the burial place of the Prophets in which Mr. Fred M. Smith says:

"I have been on the ground [i. e., burial place of the Prophets] with my father when I knew I was standing within a few feet of where the remains were lying, and it is known to many about where the spot is. It is a short distance from the Nauvoo House on the banks of the Mississippi. The lot is still owned by the family, the title being in my father's name."

Yet notwithstanding this very definite knowledge by Mr. Fred M. Smith possessed in 1902, in January, 1928, in his "search" for that grave he must needs be guided by "inspiration" and aided by "surveyors" and "engineers!"

In view of all information above set forth, representing continuous knowledge by the church authorities in Utah as to the whereabouts of the burial place of the brothers, Joseph and Hyrum Smith, it will appear to reasonable minds that the effort of sensational "finding" of the skeletons of these men, and the claim of the Utah church authorities being overthrown by such alleged "discovery," is ridiculous; and a cheap

effort at sensationalism, and bolstering up of a cheaper claim of "inspirational guidance" in finding them, when all along the "Reorganized Church" branch of the Smith family have known of the location of these bodies as well as the Utah branch of the Smith family has known of it.

In plain terms, the whole procedure of Mr. Fred M. Smith and those associated with him in this business is unwarranted, a cheap bid for a sensation, and for the reputation of being guided by "inspiration" to find the remains of Joseph and Hyrum Smith, when there was no occasion for such "guidance," the location of the bodies being positively known already by Mr. Fred M. Smith, according to his own statement relative to the instruction which his father had given him as to the place where the two brothers were buried, before his "engineers and surveyors" began the alleged search by "inspired guidance." In the second place this whole procedure was in direct violation of the interests of the descendants of Hyrum Smith who are equally concerned in any handling or removal of the remains of the Prophets; and to take up the skeletons of these men and separate the skulls from the rest of them for the purpose of photographing them, as was done, was a sacrilegious act, entirely unwarranted as to Hyrum Smith, without consultation and consideration of his family, the descendants of whom are members of the Church of Jesus Christ of Latter-day Saints and chiefly residents of Utah.³

THE MORMON BATTALION MONUMENT

An event which occurred in the closing years of this Century I of the organized existence of the church was the completion of and dedication of a monument to the Mormon Battalion. It was the work of Gilbert Riswold of Chicago, sculptor, and his collaborating architects, Frank Chase Walker and James R. M. Morrison. The erection of the monument

3. This whole subject is considered at length in the *Deseret News*, of January 31st, 1928, in an article issued from the Historian's Office of the Church of Jesus Christ of Latter-day Saints; see also the *Quincy Herald-Whig*, of Jan. 22, 1928, where a somewhat sensational writeup is given of the alleged "discovery."

is the dream come true of the Daughters of the Battalion, who through the years kept the campfires of their fathers burning until the state of Utah and her people took notice and built the monument as it stands upon the southeast corner of the capitol grounds, facing westward, the direction of the battalion's celebrated march. The state legislature appropriated \$100,000 of the funds for the monument contingent upon the people of the state duplicating the amount by popular subscription. To the surprise of many the amount of the popular subscription was raised, and after meeting many obstacles and overcoming them the monument was finished and unveiled on the annual Decoration Day (May 30) 1927.

The monument is triangular in form, rising to a height of 39 feet. On the three sides of the monument are four scenes, in high relief tablets:

Northwest side—*The Enlistment*.

Southwest Side—*The March*.

On the east side of the triangle is a double scene:

At the right—*The Discovery of Gold, California*;

At the left—*Entrance of the Pueblo Detachment into Salt Lake Valley, July 29, 1847, five days after Brigham Young's company of Utah Pioneers*.

There are three figures besides the tablets to make up the monument. These are the typical *Battalion Man*, in bronze—ten feet high. On the east side above the double tablet hewn into the rock is the figure of the *Young Indian Mother* with the babe slung on her back, representing the *Vanishing Race* as departing from the scenes of activities depicted on the monument. At the top of the monument, also hewn into the rock headland, supposed to be overlooking the Pacific, is the figure of a noble woman—head and bust and arms, with hair wind-blown into the headland as she makes her way westward. She may be called *Spirit of the West*; or *Columbia Pressing Westward*, or

Spirit of Progress. However called she dominates all the groups indicated and suggests a unity to all of them and the direction of their movements. The best idea of the monument, aside from the monument itself, its majesty and beauty, will be found in the fine engraving of it accompanying this chapter.

At the unveiling of the monument there were present on the capitol grounds thousands of people, among them many descendants of the battalion; the chief officers of the state and of the Church of the Latter-day Saints, including President Grant, and his counselors, and a number of the apostles' quorum and presidents of stakes. Governor Dern was present to receive the completed monument from the state commission when unveiled.

THE HISTORICAL MORMON BATTALION ADDRESS

The historical address delivered by the president of the state's commission dealt with the whole theme of the battalion in harmony with the treatment of that subject in this *History*, chapters lxxiii, lxxiv, lxxv, viz., the action of the national administration in calling upon the Latter-day Saints for a battalion of men was not an unfriendly gesture intending to bring to pass the destruction of the Latter-day Saints; but a response to the petitions of that people to the government of the United States, through its especially accredited representative, Jesse C. Little, at Washington, asking for government service to aid them in their movement westward. It was an act of benevolence on the part of the government; and an act of loyalty on the part of the Latter-day Saints. Out of this came the battalion, with its wonderful march and achievements, that identify the Church of the Latter-day Saints with that general westward movement of the American people which fulfilled "the manifest destiny" of the American republic to occupy the Pacific coast to an equal extent with that of the Atlantic coast of the land of Zion.



MORMON BATTALION MONUMENT

Erected by the state of Utah and the people of the west in
memory of the march and achievements of the battalion,
1846-1848, dedicated May 30, 1927

INTERDENOMINATIONAL PROTEST AGAINST SOVIET RUSSIA'S
WARFARE ON RELIGION

An action of importance in which the presidency of the church participated—and hence the church—was the nation-wide interdenominational protest of religious bodies in the United States against the reported intolerance of Soviet Russia against all religion, and its efforts to destroy religion by a universal destruction of churches and synagogues and a destruction of all authoritative books on religion, attended by a denial of religious toleration in that country. Practically all nations were aroused against Soviet Russia's alleged warfare upon religion. In the United States a nation-wide protest had been staged for Sunday, March 24, 1930, in which all churches had been invited to participate. The interdenominational services to be held in Salt Lake City on that day set to make this protest were arranged to take place in the great tabernacle. The ministers participating therein were Rabbi J. E. Krikstein, of the Congregation Monte Fiore; Rt. Rev. Arthur W. Moulton, Bishop of the Episcopal diocese of Utah; the Rev. Arthur L. Rice, president of the Salt Lake Ministerial Association (therefore representative of the ministers comprising the association), and Pastor of Pillips' Congregational church; the Very Rev. Monsignor Duane G. Hunt, Vicar General of the Salt Lake diocese of the Catholic church and vice rector of the Cathedral of the Madeleine; and the first presidency of the Latter-day Saint Church, Heber J. Grant, president, Anthony W. Ivins and Charles W. Nibley counselors. President Grant presided at the meeting and presented the speakers. He also addressed the meeting as one of the speakers. The invocation was offered by President Charles W. Nibley and the benediction by President Anthony W. Ivins. Rabbi Krikstein, who was the first speaker, presented statistics showing that thousands of churches and synagogues in Russia had been turned into "labor camps," and that countless numbers of theological documents had been

destroyed by the Russian government. "It is almost impossible," said he, "to buy a *Bible* anywhere in Russia now, and Russian children are being systematically taught not to be non-religious but to be anti-religious."

Bishop Moulton of the Episcopal church looked upon it as a high privilege to join his church with others in this protest. "If Russia," said he, "closes her churches, their government will perish. No government can take away from its people their birthright of freedom to worship as they please."

Rev. Arthur L. Rice struck a somewhat discordant note when he declared that reports from Russia "are not trustworthy; and that facts are not sufficient to warrant a formal protest of this nation"—the United States. This led President Grant to say: "If the reports are not true, we are not protesting; but if they are true they violate the beliefs of the church," meaning the church he represented.

The Very Rev. Monsignor Hunt of the Catholic church said there was no question about conditions in Russia. The Monsignor identified religion with the rights of man; "When religion is attacked, so likewise are the rights of man," he said. "When the rights of man are attacked, so likewise is religion—the two stand or fall together; for they are part and parcel of the same thing." The Soviet regime was crushing civilization in Russia. "Can you and I," the Monsignor eloquently asked the great audience of three thousand people, "can you and I be complacent in the face of all this?"

President Grant was the closing speaker. He read the eleventh article of faith from the summary of those declarations bearing that title, as setting forth the attitude of the Church of the Latter-day Saints with reference to religious freedom:

"We claim the privilege of worshiping Almighty God according to the dictates of our own conscience, and allow all men the same privilege, let them worship how, where or what they may."

This was supplemented by reference to *Doctrine and Covenants*, section cxxxiv, which limits the punitive power of religious societies to dealing with the fellowship of its members, the reliance on the civil governments for redress of grievances for personal abuse, or where the rights of property or character are infringed, with the right of self-defense reserved in cases of emergency, "where immediate appeal cannot be made to the laws and relief afforded."

These were the principles of religious freedom believed in by the church for which he spoke. "Reports are that Soviet Russia is not permitting these human rights," said the speaker, "and where that is the case we make solemn protest against any and all nations who fail to do so."

In closing the great congregation sang "America."

CHAPTER CLXXXVIII

THE CENTENNIAL CONFERENCE OF THE CHURCH OF THE NEW DISPENSATION

THE time of the end of the first century of organized existence of the church of the New Dispensation approaches. The annual conference to be held "in the fourth month and on the sixth day of the month which is called April," being one thousand nine hundred and thirty years "since the coming of our Lord and Savior Jesus Christ in the flesh."¹

PROGRAM FOR THE CONFERENCE OUTLINED

About a year previously a special committee had been appointed to take under advisement the nature of the celebration to be held on the one hundredth anniversary of the organization of the church. This committee was called the "Centennial Celebration Committee," the members of which were: George Albert Smith, Chairman; David O. McKay, Joseph Felding Smith, Melvin J. Ballard, all members of the apostles quorum; B. H. Roberts, Rulon S. Wells, of the first council of the seventy, and Sylvester Q. Cannon, presiding bishop of the church. Leroi C. Snow acted as secretary. The committee met at intervals to study the subject submitted to them, and out of the numerous things suggested as appropriate for the occasion, the presidency of the church decided upon the following:

1. The convening of the regular annual, and in this case the Centennial, conference of the church, on the 6th of April, which in this year would fall upon Sunday. The forenoon meeting to be a priesthood meeting of the whole church through representatives, arranged as a general assembly of the priesthood, the several quorums to be placed in the order of their standing; and each to vote separately on supporting

1. *Doctrine and Covenants*, sec. xx:1.

the respective officers of the priesthood and the church, and then the whole assembly voting *en mass*, to be followed by the joyful and sacred shout of "Hosanna," accompanied with the waving of white handkerchiefs, the shout and the waving to be thrice repeated.

Privilege of attendance upon this general priesthood assembly was to be equitably distributed among the respective stakes, as nearly as possible, since it was clear that all could not find place in the tabernacle. Admission was to be by card. At the afternoon session as at all other sessions of the conference, admission was to be general, as usual.

2. The illumination of the Salt Lake temple and of all the temples of the church throughout conference week to indicate the joy of the people that the work of the Lord had successfully completed its first century of existence. It was determined to have this illumination by external electric flood lighting.

3. The publication of a *Comprehensive History of the Church*, covering Century I of the organized existence of the church.

4. A suitable pageantry to be arranged representing God's "Message of the Ages," to be given on the evening of the sixth of April, in the tabernacle, continuing throughout the conference week or longer should public interest demand it.

5. The general conference of the church this centennial year, to be continued through four days.

EXECUTION OF THE PROGRAM

This program was strictly and successfully carried out, to the joy of Latter-day Israel's assembled tens of thousands, in Salt Lake City, and her hundreds of thousands who attended by radio throughout, by the broadcast of KSL at Salt Lake City.

ILLUMINATION OF THE SALT LAKE TEMPLE

The official flood lighting of the temple in Salt Lake

City occurred on Saturday night, April the 5th, with the following effect:

Rays totalling 52,000 candlepower were turned on the famous building. Lights were placed at vantage points on the tabernacle and bishop's building. A feature of the occasion was the use of the 25,000 candlepower, 10,000 watt globe presented to the church by the Westinghouse Lamp Company. This was placed on the grounds to the south of the temple and lighted up the entire side of the building and its six noble towers. The illumination rendered the building an object of marvelous light and shadow effects of exceeding great beauty.

THE CONFERENCE: SUNDAY MORNING—PRESIDENT GRANT'S ADDRESS

Exactly at 10 a. m. the conference opened by the great audience singing the familiar hymn: "We Thank Thee, O God, For a Prophet." Prayer was offered by the presiding patriarch, Hyrum G. Smith. The second hymn, "An Angel From On High, the Long, Long Silence Broke." Duet and chorus; in the latter the choir and the great congregation joined and sang with spirit.

After greetings to the assembled priesthood, and expressions of gratitude for the blessings of God upon the church, President Grant, in clear, resonant voice read the "Message of the First Presidency of the Church of Jesus Christ of Latter-day Saints." The reading occupied a little more than thirty minutes and was listened to with profound interest and silence throughout.²

Following the address, the choir rendered the anthem—written for the occasion by the veteran church musician, Evan Stephens—"Hosanna and Hallelujah."

PRESIDENT IVINS' DISCOURSE

Anthony W. Ivins, first counselor in the first presidency,

2. It is to be found at the end of this volume.

addressed the conference. His discourse was an historical review of the great epochs through which God unfolded his purposes, and especially in developing the mission of his chosen people Israel, both in ancient and in modern times. "God's Purposes Unfolding in History" could well be the title of President Ivins' discourse. "In all this," the historical review he had given, "God's purpose is plain to those who will study with the spirit and with understanding," exclaimed President Ivins.

The congregation, led by the choir, sang two verses of America. Apart from the "Message from the Presidency," the feature of this first session of the Centennial Conference was the impressive sustaining of the several officers of the priesthood and of the church, first by separate vote of the respective quorums and then by the whole assembly of the priesthood. The vote was taken by each quorum in its order rising to its feet and raising the right hand in solemn token of acceptance and support of the presiding authorities of the priesthood and of the church. The voting was unanimous in the affirmative.

The officers thus sustained were as follows:

GENERAL AUTHORITIES OF THE CHURCH AT THE CLOSE OF THE
FIRST CENTURY OF THE EXISTENCE OF THE CHURCH
OF THE NEW DISPENSATION

First Presidency: Heber J. Grant, prophet, seer and revelator, and president of the Church of Jesus Christ of Latter-day Saints.

Anthony W. Ivins, first counselor in the first presidency.

Charles W. Nibley, second counselor in the first presidency.

The Twelve Apostles: President of the council of twelve apostles, Rudger Clawson.

Members of the council of the twelve apostles: Rudger Clawson, Reed Smoot, George Albert Smith, George F. Richards, Orson F. Whitney, David O. McKay, Joseph Fielding

Smith, James E. Talmage, Stephen L. Richards, Richard R. Lyman, Melvin J. Ballard, John A. Widtsoe.

The Presiding Patriarch: Hyrum G. Smith.

The First Council of the Seventy: B. H. Roberts, Jonathan G. Kimball, Rulon S. Wells, Joseph W. McMurrin, Charles H. Hart, Levi Edgar Young, Rey L. Pratt.

The Presiding Bishopric: Sylvester Q. Cannon, David A. Smith, first counselor; John Wells, second counselor.

Trustee-in-Trust: Heber J. Grant, trustee-in-trust for the Church of Jesus Christ of Latter-day Saints.

ISRAEL'S SACRED "HOSANNA" SHOUT

After the vote to sustain the general authorities of the priesthood and the church, came Israel's shout of joy:

"HOSANNA! HOSANNA! HOSANNA! TO GOD AND THE LAMB, AMEN! AMEN! AND AMEN!"

This, led by President Grant, three times repeated, and attended by the rhythmic waving of white handkerchiefs by every member of the great congregation with each separate utterance, made a very impressive sight; and it seemed, as the mighty shout was given, to vibrate waves of emotion which were sustained by the choir's rendition, at this point, of Handel's ever glorious and joyous chorus, "Hallelujah," from "The Messiah."

PRESIDENT GRANT'S BLESSING ON THE WORLD

If there had been any doubt in the world by those assembled respecting the greatness and universal spirit of "Peace on earth, good will to man," or of "Glory to God in the highest," it would have been dispelled by hearing the blessing of President Heber J. Grant upon the world in the closing minutes of the morning session of the great conference. It may not be particularized here, it will be sufficient to say that it was a universal blessing, that included reference to the past and honored servants of God who had

preceded him in the high office to which, in the providences of God, he himself had risen; and then he blessed the present officers of the priesthood and of the church; he blessed the United States of America, and the liberty-loving nation of Great Britain, and the nations of all the world; he especially remembered "the mothers of men" and every interest of humanity. This he did in the authority of a servant and prophet of God. His blessing was worthy of one occupying his position as God's vicegerent on earth. It was truly a world-wide benediction of God through his prophet. The clear high-pitched but full and resonant voice gave evidence at times of the emotion which shook his frame, but it was held in fine control and ended without a break. The deep silence that pervaded the great assembly during the delivery of this official blessing of God upon the world was a fitting accompaniment of the blessing. There are times when nothing is so fitting, or so eloquent as silence. This was one of the occasions.

The benediction on the conference meeting was pronounced by Joseph R. Shepherd, president of the Logan temple.

As the assembly broke up to leave the tabernacle the people from the outside began crowding in for the afternoon session.

It was noted by one newspaper report of the conference that:

"Occupying seats on the stand were a number of prominent citizens as guests of the church on the unusual occasion; among them George H. Dern, governor of Utah; Milton H. Welling, secretary of state; and Dr. George Thomas, president of the University of Utah.

The great temporary stage, built for the pageant, gave a new atmosphere to the tabernacle, with its drapes and hangings from the lofty ceiling, entirely covering the permanent stand and the great organ.

The stage was filled with the members of the choir in the rear, members of general boards, mission presidents, invited guests, the general authorities of the church and others.

The decorations were effective and in keeping with the great event. At the conclusion of the service, the congregation remained seated while a flashlight picture was taken."

SUNDAY AFTERNOON SESSION OF THE CENTENNIAL CONFERENCE,
2 P. M.

In the afternoon session of the conference the great tabernacle was as crowded as it was in the morning; and an equal number thronged the Temple Square grounds. President Heber J. Grant presided. The opening hymn was W. W. Phelps' "Praise to the Man Who Communed With Jehovah," the joyous triumphant hymn which celebrates the memory of Joseph Smith, Prophet of the New Dispensation, and how his enemies have fought him in vain. It was sung with mighty fervor on this occasion.

Opening prayer was by Edward J. Wood, president of the Alberta, Canada, stake of Zion.

PRESIDENT C. W. NIBLEY

Charles W. Nibley, second counselor in the first presidency was the first speaker. He emphasized the importance of the sixth day of April in history, because of the great events which had occurred upon that day. These were: The organization of the Church of Jesus Christ of Latter-day Saints, one hundred years ago. According to his belief, though without attempting to give historical evidence of it, he believed that the springtime of the year more likely to be the time than December, when the Savior was born; since the shepherds were watching their flocks by night, and the 6th of April might well have been the time of the annunciation. President Nibley, however, suggested no change in the date for celebrating the birth of the Messiah.³

On this date, too, sixth of April, George Washington was declared to be the first president of the United States.

On this date the United States entered the World War, 1917.

3. In support of the "belief" expressed by President Nibley may be cited in *Doctrine and Covenants*, section xx:1, where the Lord says of the organization of the church on the sixth of April, 1830, "being one thousand eight hundred and thirty years since the coming of our Lord and Savior in the flesh." Since this is the declaration of God, it may be insisted upon that this declaration better than any other evidence fixes the date of Messiah's birth.

The speaker also believed that the "early spring" of 1820, fixed as the time of Joseph Smith's first vision might have fallen upon this same day of days in April.

President Nibley exalted the gathering of Israel in these last days as a manifest blessing to the poor among men, and rejoiced in the prosperity of the people. But God had wrought this. Let not the Latter-day Saints forget that. Paraphrasing the words of the Lord to ancient Israel he said: It is God who has made this people, and not they themselves.

The saints must be willing to sacrifice for the blessings of the gospel. It is sacrifice that brings forth the blessings of heaven.

RUDGER CLAWSON

Rudger Clawson, president of the council of the apostles, followed President Nibley as the speaker. Since this conference was an historic occasion, his mind had been influenced to consider historic events as depicted in the prophecies of the Lord and the fulfillment of them as affecting the work of God.

He then detailed the prophetic dream of King Nebuchadnezzar and the Prophet Daniel's interpretation thereof. The stone cut out of the mountain without hands of the dream, in the speaker's interpretation of it, was but the symbolic figure of the gospel of Jesus Christ, "the kingdom of heaven," which would fill the earth and endure forever.

"High on the Mountain Tops, a Banner is Unfurled," was sung by the choir.

ELDER ORSON F. WHITNEY

Elder Orson F. Whitney, of the council of the twelve, and the recognized reigning master poet of the church at this time, was called upon to read an original poem he had prepared for the occasion. It bore the title, "*The Lifted Ensign*," and dealt in dialogue form with that event; Elias, Ephraim and Judah constituting the speaking characters.

The theme was lofty and the treatment worthy of its high aim, the final recognition and effectiveness of God's work, symbolized in the Raising of an Ensign that but heralded the triumph of the gospel of the Christ.

A COMPREHENSIVE HISTORY OF THE CHURCH REPORTED

The senior president of the first council of the seventy reported to the conference the completion of five volumes of the six-volumed *Comprehensive History of the Church of Jesus Christ of Latter-day Saints, Century I*, which the presidency of the church had directed to be published as one of the features of this Centennial Conference. The sixth volume would soon be completed, the speaker assured the conference. He brought this work as to an altar, and in the presence of the great audience dedicated it to the church and to God.

The closing hymn was: "I Have Seen My Maker Face to Face," a composition by B. Cecil Gates, grandson of President Brigham Young, Utah's great Pioneer, and sang by Rilla Wilson, Cannon Lund, and the choir.

The closing prayer was offered by President Henry H. Blood of the North Davis stake of Zion.

Thus closed the regular conference meetings of the sixth day of April, 1830, but the final curtain was not rung down upon this Centennial Anniversary of the day on which the church of the New Dispensation was organized, until its great story was set forth in pageantry, at the evening session of the conference, at the tabernacle, which constituted an important feature of the general conference on this centennial day.

SUNDAY EVENING SESSION—"THE MESSAGE OF THE AGES"

The pageant representing "The Message of the Ages" was especially successful. A spacious stage was constructed in the west end of the tabernacle, fronting the great organ,

divisible by magnificent curtains of chaste color schemes, into the necessary subdivisions required by the incidents of the great unfolding theme. Never was there more magnificent demonstration of Tennyson's line:

"I doubt not through the ages, one increasing purpose runs."

The committee who conceived and constructed this magnificent pageant were:

George D. Pyper, Chairman	Tracy Y. Cannon
W. O. Robinson	Lester Hinchcliff
Junius F. Wells	Leroy Robertson
Elbert H. Eastmond	Bertha A. Kleinman
Charlotte Stewart	Frank W. Asper
Irma Felt Bitner	Anthony C. Lund
Ann Nebeker	A Hamer Reiser, Secretary

OUTLINE OF THE PAGEANT THEME

The following explanatory note accompanies the official text of the printed pageant:

"The MESSAGE OF THE AGES is a presentation of the outstanding features of the Lord's dealings with man in this world existence.

Be it known that the gospel planned in the councils of heaven, was known to the ancients, preached by Christ in the Meridian of Time, and after a 'Great Falling Away', that this same gospel was again revealed to the Prophet Joseph Smith and restored in these last days, a century ago, and that through the martyrdom of the Prophet and faith and patience and heroic toil of his people, the Lord hath brought again Zion, and established her among the hills, and that by walking in his ways, the children of men may find peace and happiness and the 'more abundant life.' "

The pageant is divided into a prologue and three periods, viz.:

THE ANCIENT DISPENSATIONS

THE MESSIANIC DISPENSATION

THE DISPENSATION OF THE FULNESS OF TIMES

The story is told in narrative, tableau and processional, with organ, orchestral, and choral music."⁴

MUSIC OF THE PAGEANT

The unfolding theme of the ages with its introduc-

4. Official text of the *Message of the Ages*, p. 7.

tions and interludes and climaxes was accompanied by appropriate music upon the great organ, supplemented by the McCune School of Music Orchestra, and vocal renditions of solos and choruses by the tabernacle choir, under the general leadership of Anthony C. Lund, director, with Tracy Y. Cannon, organist for the pageant, and Frank W. Asper conductor of the orchestra. Indeed the very fine musical contribution, so appropriate to the several parts of the unfolding theme, and the orchestration throughout, was not only in harmony with the theme, but did much to create its mighty spirit.

The whole pageant was fittingly dedicated to:

Heber J. Grant, president of the Church of Jesus Christ of Latter-day Saints.

Admission was free, yet by tickets. One of the pleasing features of the pageantry was the admission of non-“Mormons” on practically the same terms with church members, which brought thousands of non-church members to see and likewise to appreciate and praise the pageant. It scored a great success. Features of it were also filmed from the steps of the state capitol, to be used by the movie film companies securing them.

It was thought at first that if this production carried on through the conference week it would be sufficient to meet the demands of the members of the church and their friends who would wish to see it. But such was the spontaneous success of the pageant and the fame of it, and such the overwhelming and widespread request for tickets that one extension of time after another was made until it was decided to continue its presentation until the 5th of May, which was done.

Century one of the History of the Church of the New Dispensation came to its close with this evening's pageantry in a blaze of glory.⁵

5. The conference proceedings for the remaining days will be found in the *Conference Pamphlet* of April 6th, 1930.



VIEW OF SALT LAKE CITY'S CHIEF BUSINESS
STREET, 1930

Looking northward with Ensign Peak in the distance—
"the hill in the side of a mountain"

A COMPARISON

April 6th, 1830: The obscure home of "Father Peter Whitmer," in Fayette, Seneca county, state of New York, United States of America. Six young men, and a few of their friends, both men and women, present. These six young men, *viz.*, Joseph Smith, Jun., Oliver Cowdery, Hyrum Smith, Peter Whitmer, Jun., Samuel H. Smith and David Whitmer. Three others had been baptized⁶ but these six effected the organization by consenting to the organization being made, and accepting Joseph Smith and Oliver Cowdery as the first and second elder respectively of the church. After which Joseph Smith and Oliver Cowdery ordained each other to the position to which they had been chosen. The sacrament of the Lord's supper was administered to those who had been previously baptized and now confirmed members of the church, "and received the Holy Ghost by the laying on of hands. Some enjoyed the gift of prophecy and all rejoiced exceedingly."

Four other persons were baptized after the organization was effected, two of them the father and mother of the Prophet.

The origin of the church was obscure, only being known in the immediate vicinity of the Whitmer farm home.

April 6th, 1930: The conference on the 6th day of April, 1930, is held in the Salt Lake tabernacle, on Temple Square, Salt Lake City, Utah, capable of seating eight thousand people, and it was filled to capacity by representatives of the priesthood of the church alone. Thousands thronged the beautiful Temple Square grounds outside, unable to get into the tabernacle, but heard the proceedings with the aid of "loud speakers" on the grounds and in surrounding buildings; hundreds of thousands heard the proceedings of the conference in all parts of the intermountain west, for thousands of miles in extent; and by provision of a national radio "hook up," for

6. See this *History*, ch. xvi, note 12.

the next afternoon (April 7) seven to ten millions heard the great "Mormon" tabernacle organ and choir render some of the hymns and anthems of the New Dispensation. And the press throughout the land—throughout the world, in every land, carried telegraphic reports and editorial comments upon the proceedings of this day's conference.

STATISTICS

It was reported at this conference that the church had a present living membership of 700,000 souls.

To this, in order to account for the whole membership of the church of the New Dispensation must be added all who have died in the faith, through one hundred years. The number is not known, but perhaps enough to make the baptized membership of the church approach one million souls. Seven millions of baptisms have been performed for the dead from first to last in the temples, from the Nauvoo period until now (1930); eight such ordinance temples have been erected, seven now standing and daily continuing the work. Fifteen million saving ordinances (including the baptisms for the dead before mentioned) have been administered for the dead. During the conference President Grant reported:

"We have at the present time: Stakes of Zion, 104; Wards, 930; Independent branches, 75; Dependent branches, 27; Total wards and branches in the stakes of Zion, from Canada to Mexico, 1032; Missions, 29; Mission branches, 800."

President Grant's report for the year 1929—last year of the first century—set forth that:

"There were children blessed and entered on the records of the church last year	19,071
Children baptized [eight years old and upwards] in stakes and missions	15,468
Converts baptized and entered on the records of the stakes and missions	6,511
Total baptisms	21,979
Number of long-term missionaries [average service of two years] from Zion	2,068
Number of short-term missionaries [six months]	59
Number of local missionaries [in stakes of Zion]	99

Total missionaries on foreign missions	2,226
Number engaged in missionary work in the stakes.....	903
Total missionaries	3,129
Number of missionaries who received training at the Mission Home [Salt Lake City] during the past year.....	942
Persons recommended to the temples (stakes and missions)	68,573
Birth rate, 29 per thousand.	
Marriage rate, 14.5 per thousand.	
Death rate, 7.8 per thousand.	
Families owning their own homes, 70 per cent.	
Last year the church expended from the tithes of the people for education more than \$918,000.00." ⁷	

7. From statistics read by President Heber J. Grant during the present Centennial Conference.

CHAPTER CLXXXIX

REFLECTIONS

“SHOW the things that are to come hereafter, that we may know that ye are gods; yea, do good or do evil, that we may be dismayed, and behold it together.

Behold ye are of nothing, and your work of naught; an abomination is he that chooseth you.”¹

Such the challenge of God to those who questioned the things that he had done in Israel in ancient times; that doubted that he had made Israel; and now, looking into the future, doubted if God would bring forth Israel's deliverer, the Messiah. God was saying to these: Produce your cause, let us reason together; “show us things that are to come, that we may know that ye are gods.” God's challenge to their unbelief, makes it clear that the future, the knowledge of it, belongs to God alone, and to his servants to whom he reveals it; not to those who question his work, or challenge his power. “Prophecy” or power to penetrate into the future, is not given to satan or to his emissaries. For them that veil will not part. “For prophecy came not in olden time by the will of man; but holy men of God spake as they were moved by the Holy Ghost.”² So now, prophecy, knowledge of the future, is of God, and of his servants to whom he reveals it. Prophecy, in a way, is history reversed. Prophecy is a fore-telling of that which shall be; History, an after-telling, events that have been.

It is not my intention to depart from my humble role of historian. I am not one who may undertake the role of prophet. I claim no right to assume it. The future is a sealed book to me, except as I believe what God, through his servants in the scriptures, has revealed of it. And yet standing here at the close of this, that I may—and I trust without

1. *Isaiah*, xli:23, 24.

2. *II Peter*, i:21.

trespassing upon good taste—regard as a monumental work—how may one refrain from thoughts of its future? And especially as there are those of the opposed who do not hesitate to predict its failure, or who prescribe very narrow limits for it should it survive. For instance:

A few years ago, a critic of some standing in the Christian world—he was secretary of a large group of so-called Christian churches—conceded that “the Mormon church is possessed of elements of great power.” These elements “are founded in its principles of centralized power, and in its social program.” He conceded that there is no real menace in the “Mormon” church to American political institutions, dangers along that line were past. And then:

“Mormonism has reached the zenith of its supernatural visions, is receding, gradually fading in the Mormon consciousness itself. The time spirit will cure it of its abnormalities. It will die amid its own worshippers.”³

“The way to oppose Mormonism,” he said, “is not to throw mud upon it. A campaign of detraction only helps it to grow. The thing to do is to treat it with candor and fairness. * * * It must fall of its own weight, if it is to fall at all.” Then he treats us to this reflection with its implications. It is somewhat time-worn, but it is made to do service:

“Our little systems have their day,
They have their day and cease to be;
They are but broken lights of Thee,
And thou, O Lord, art more than they.”

At a public meeting in Reading, Pennsylvania, a lady submitted the following to the writer:

“In view of the fact that the drift of the world’s thought is away from acceptance of the miraculous, what is to be the future of Mormonism?”

The question is a thoughtful one. It is a fact that the

3. This critic is Wm. Oeschger, secretary of the Nebraska Christian churches; in *State Journal*, Nebraska, Nov. 24, 1918.

trend of the world's thought is away from acceptance of the miraculous. It is also true that "Mormonism" had its origin in what men call miracles; in such miracles as tax the credulity of the mind of man to accept, and of modern man in particular. In view of these premises, then, what is to be the future of the faith of the Latter-day Saints? The future of "Mormonism?" Is it to be the case of an inflowing tide at a time of storm that has carried a ship far ashore, and that now, the tide ebbing, leaves the ship beached on the shore to become a helpless derelict, that in time must perish?

Another suggestion: A recent writer, as late as January, 1930, discusses what to him are the necessary limitations of "Mormonism." This writer concedes that of the whole group of religious movements in America that arose about the same time that "Mormonism" had its origin, "Mormonism" alone has survived; that is, in any way worth while, and that is today a really "going" concern. Then he asks that if this be so, "Why, then, has not God's kingdom [which 'Mormonism' claims to be] overspread the republic?" His answer is: "*Simply because it is self-limited.*" And he argues out that matter of self-limitation of "Mormonism" in this way:

"The quest for the perfect American Religion could be successful only on the lowest level of intelligence. Piety and business could only be completely fused by means of a creed too ridiculous for any widespread acceptance. * * * The doctrines of Mormonism are indispensable to its system."

The critic is right on that point. "The doctrines of Mormonism are indispensable to its system." "Mormonism" is absolute in this: it must be wholly accepted or wholly rejected. Its doctrines, and the whole-hearted acceptance of them is indispensable to membership in its system. The miraculous visions of Joseph Smith, the miraculous visitation of Moroni and the miraculous translation of the *Book of Mormon*—the fact of direct and continuous revelation from God—all must be accepted or "Mormonism" can have no

standing; nor can any one have a standing in "Mormonism" without acceptance of these doctrines. Then our author proceeds:

"If they [meaning the doctrines] are altered or rejected in any particular, the system must collapse!"

Nothing more true has ever been said of "Mormonism" than that, if the remark is limited to the fundamentals of it. Then our writer launches his thunderbolt:

"And they [the doctrines of 'Mormonism'] compose a body of belief almost incredibly absurd. Mormonism made a formidable effort to include all the imbecile dreams that were contemporary with its rise. It was and it remains, at once, millennial restorationist and perfectionist. Fossilized in its canons is nearly every metaphysical theological and liturgical insanity of the American pentecost. It epitomizes the religious nonsense of a full half century. It was too fundamentally a reaction, as creeds of restoration must necessarily be, so that it retains notions long since discarded by its competitors? A body of beliefs as absurd and grotesque may exist on a small scale here and there, in Los Angeles or Zion City, but none so grotesque is accepted by any number comparable to the Mormons."⁴

And these "absurd" and "grotesque" miraculous doctrines, it is argued, will constitute the limitations of "Mormonism," and confine its acceptance to a few. That is to say, according to this view, "Mormonism" may become a tolerated, minor sect, but never will be a world movement—God's kingdom, overspreading the republic and the world. To recur to the Reading, Pennsylvania, lady's question—for involved in that, by implication, is the same argument and conclusion as in this *American Mercury* writer's discussion. "In view of the trend of modern thought away from acceptance of the miraculous, what is to be the future of Mormonism?"

Which is it to be, I venture to ponder, a limited but tolerated sect, or a world movement? A beached ship on the shore—derelict of the receding world thought-tides, or the kingdom of God overspreading the nations? Which? What is the

4. *American Mercury*, for January, 1930. The writer is Bernard Devoto.

answer to these criticisms and this prediction based upon alleged self-limitations, which are relied upon as marking the defeat of "Mormonism" as a world movement? Again, what is the answer? My answer is that the history of one hundred years will be the vindication of the church; will effectively prove its claims to the world movement character of both religion and church. Not a sect, but the universal religion founded upon Jesus Christ—his gospel and the New Dispensation of it, and the complement and fulfillment of all that has gone before, and prophecy of that which shall be hereafter. In that case, however, the history must be so full and frank and fair that truth and the spirit of it, will be what sunlight is to the atmosphere, so permeating it as to be in and through it, an everywhere present spirit of truth as the spirit of God is everywhere present through his creations. Such a presence that can no more be separated from that history than sunlight can be plucked from the atmosphere. Such a statement of, and such a treatment of the great truths brought forth in Century I of the organized existence of the church of the New Dispensation, and so related to what must be the grand purposes of an All-wise and All-loving and Just and Merciful and Righteous Heavenly Father, that the truth will stand vindicated and self-evident to the minds of the men of good will; and largely enough accepted to make it the dominant kingdom of truth.

Here a doctrine of our first Prophet, Joseph Smith, helps: *"Every word that proceedeth from the mouth of God has such an influence over the mind that it is convincing without other testimony. Faith cometh by hearing."* That is to say, truth has a native power of its own, and if stated clearly and fully it will be its own witness. "No," said Joseph Smith, so sure was he of this principle—"No, I don't want anyone to tell I am a Prophet or attempt to prove my word." He was confident of the self-evident truth of the spoken word. This being true, his cause would suffer little from the threat of self-limitations, and the menace of unbelief

because of the doctrines being "absurd" or "grotesque;" since the truth of them may be established by a clear and effective statement of them; the truth being its own witness. Then tell your story! Let it stand as its own witness.

As to whether "Mormonism" will be merely a tolerated sect, or a world movement, the veritable kingdom of God to spread over all nations, it but remains for those who are the members of the church which God has founded, who constitute its priesthood and its membership—it only remains for them to keep the "vision splendid" before them with which this work began, and I predict a world movement, not a sect, will be its character.

God, who at sundry times and divers manners made known his plans and purposes with reference to man's earth-life, such revelations being known as dispensations of his gospel, has in these last days made known that these successive dispensations have come through the ages as an intermittent stream flows through a valley, fed at times from side streams coming in from right and left. Sometimes the river bed may become wholly dry; then the river springs up again to flow for a time copiously, with life-giving force, only to sink again from view. But finally, God, fulfilling his purposes designed from the first, opens the heavens and gives such floods of rain that so start the stream from all its sources, that it shall never again run dry or spread out and be lost in desert sands. It will constantly widen and ultimately merge with the ocean, which is its home. So God's dispensations shall be gathered and flow into one, the Dispensation of the Fulness of Times. Your dispensation and mine, meaning the one in which we work; God's dispensation, really, in the which he will gather together in one "all things in Christ, both which are in heaven and which are in earth, even in him."

This, then, is the message of our church voiced from Century I of our organized existence to the world—the

incoming of the final dispensation of the gospel of Jesus Christ:

“Hear, O Heavens, and give ear, O Earth, for God hath spoken!” The veil between heaven and earth has been rent from top to bottom. Heaven’s pavilion is taken up, and God the Father and Jesus Christ his Son are revealed anew.

God’s plans and purposes in all the dispensations are made known, there has been a unifying of the truth of all the dispensations of God to menward.

The everlasting covenant, of which the blood of the Christ is both sign and seal, has been renewed.

A true priesthood, which is God’s power and authority given to man; which becomes God working through men, has been conferred on men in this age in regular order of succession from those who previously held it.

The Church of Jesus Christ, and for the last time, has been set up again and made the depository of God’s truth and the fulness of it; and has been given the commission of proclaiming that truth and the fulness of it to every nation and kindred and tongue and people. Also to this church has been given the high mission of perfecting the lives of those who receive its truth.

The gathering of all Israel has been proclaimed, and the restoration of Judah to Jerusalem and to Palestine, with commandment to resume his national life.

Joseph, son of Jacob, his place as prince in Israel has been made known, and to him has been given the gathering of the tribes, to receive their blessings at the hands of Ephraim, preparatory to going to their own and final lands of inheritance.

The record of Joseph in the hands of Ephraim, the *Book of Mormon*, has been revealed and translated by the power of God, and supplies the world with a New Witness for the Christ, and the truth of and the fulness of the gospel.

The Zion of God, the capital of the empire of the

Christ in the new world, the place of it is revealed, and for many years proclaimed and will not be moved out of its place.

Elias who held the keys of God's church in the days of Abraham and blessed him, has restored the patriarchal powers and graces of the priesthood, to link together the families of men in patriarchal order, from now to the time of the end.

Elijah, translated to heaven without tasting death, and therefore made the man of two worlds, heaven and earth, and by that token capable of working in both; he has restored the keys of the long promised priesthood that turns the hearts of children to the fathers, and the hearts of the fathers to the children.

Stakes of Zion are multiplied in the land of Zion, in Canada, in Mexico, in the midst of the Rocky Mountains and also along the Pacific slope; and soon as our first Prophet declared, and but three months before his death, on the Atlantic seaboard likewise will stakes of Zion be organized. The Atlantic Ocean but washes the shores of Zionland on the east, as the Pacific Ocean washes the shores of Zionland on the west; and the great interior valleys of the Mississippi and his mighty tributaries, will also be places for stakes of Zion, and the gulf slopes as well—the southland.

Zion is lengthening her cords and is strengthening her stakes, and multiplying her altars to the true God by the erection of temples, stake houses, and chapels throughout the land. It seems to me that the chief activity of our president, Heber J. Grant, in late years, has become the dedicating of places of worship throughout the land of Zion.

And these things will increase more and more. And while, as the prophets of the *Book of Mormon* foresaw, the possession of the saints would be few and scattered upon all the face of the promised land, yet will they be multiplied until they shall become a mighty people and from among them will arise those who shall be able to move in

upon and redeem Zion, the center place thereof, and fulfill God's word, and purposes as to the mission of the capital city of the Christ's spiritual empire in America.

May men truthfully call this a work of narrow limitations? The business and work of a merely tolerated sect—one of the broken lights of God? Or is it the beginning of a world movement for the decreed fulfillment of all the purposes of God? A world movement, I say, for the completion of God's purposes with reference to the establishment of Zion, the salvation of men, the redemption of the earth and the fulfillment of all the words of the holy prophets since the world began—*ending in the glorious coming and reign of the Christ, with its Peace on Earth, Good Will to Men.*

Address of the First Presidency
at the
Centennial Conference of the Church
April 6th, 1930

THE FIRST PRESIDENCY OF THE CHURCH OF JESUS
CHRIST OF LATTER-DAY SAINTS TO OUR BELOVED
BRETHREN AND SISTERS THROUGHOUT THE WORLD:

On this, the one hundredth anniversary of the organization of the church, we salute you, and pray that the blessing of God our Father, and the grace and love of Jesus Christ, our Lord, may abide with you forever.

We preface our message to you by reference to the following scripture:

“Behold, I am Jesus Christ, the Son of God. I am the life and the light of the world. I am the light which shineth in darkness, and the darkness comprehendeth it not.”

As Moses lifted up the serpent in the wilderness, even so was the Son of God lifted up, that whosoever believeth in him shall not perish, but have eternal life.

The Church of Jesus Christ of Latter-day Saints, through its presidency, reaffirms the truths set forth in the above scripture, and calls upon its members in all parts of the world to rededicate their lives to the service of the Master in the establishment of his kingdom upon earth.

From the beginning of time, as we count it, to the present, God our Father has, at divers times, both by his own voice and the voice of his inspired prophets, declared that he would send to earth his Only Begotten Son, that through him, by means of the resurrection, of which our Lord was the first fruits, mankind might be redeemed from the penalty of death, to which all flesh is heir; and by obedience to the law of righteous living, which he taught and exemplified in his life, be cleansed from personal sin and made heirs to the Kingdom of Heaven.

In songs of praise the psalmist declared his coming. In ecstasy the prophet Isaiah looked forward to the day when he would manifest himself among men, and, by foreknowledge which came from the Father, announced the details of his death and the dire consequences of his crucifixion.

The Redeemer himself declared, notwithstanding the apparent failure of his mission and ministry as it applied to the generation to which he brought the message of salvation, that at a period of time then in the remote future, a period designated as the latter-days, the Dispensation of the Fulness of Times, he would again reveal himself,

would reestablish his church upon earth, and come to reign in triumph and majesty over his people.

In humility, and with full consciousness of the responsibility involved, we bear witness to the people of the world that with the appearance of the Father and the Son to the Prophet Joseph Smith, in the early spring of 1820, the greatest gospel dispensation of all time was ushered in, a dispensation of light, radiating from the presence of God, illuminating the minds of men, increasing intelligence and knowledge, which is the glory of God, and by the application of which the past one hundred years have been made the Miracle Century of the ages.

The increase of scientific knowledge, invention, industrial development; the harnessing of the forces of the universe and adapting them to the comfort and convenience of man, have reached a degree of perfection not dreamed of by people who lived when the past century was ushered in.

In 1830 Abraham Lincoln attained his majority. He was still pursuing his studies by the light of a tallow dip, or pine knot, because there was nothing better to be had; and it was under these circumstances that he prepared himself to become the foremost citizen of his country, thirty years later.

Since that time our system of education has undergone a miraculous change. The log or little brick schoolhouse of a century ago has been supplanted by temples of learning, in which our children enjoy conveniences and comforts that the wealth of kingdoms could not, at that time, provide. They have maps of the world before them, books treating all known subjects, teachers better informed upon the subjects taught, heat provided; and when they require light they touch a button and the electric current does the rest.

Agriculture, the foundation upon which the very existence of the human race is builded, was still in a primitive condition. Men harvested with a scythe or sickle the grain which grew in their fields, and threshed it with a flail.

A man now sits upon a machine, and at one operation, reaps, threshes and sacks ten acres of grain, with less fatigue than he formerly harvested one.

Women carded and spun the wool and wove the cloth with which they and their children were clothed.

The cards, spinning wheel, and loom have passed. They are now to be seen only as heirlooms or sacredly cherished souvenirs.

Possibly no other human agency has greater influence upon civilization and the development of the people of the world than that which provides quick and easy transportation of people and things from place to place. By it individuals, communities, and nations come to know each other better, exchange of commodities is made possible, and the commerce of the world is maintained.

For this purpose roads made by men thread the world. We travel over them now on bands of steel, in luxurious motor cars, in floating palaces, or through the air.

Only yesterday these roads were mere trails, blazed by fearless, intrepid men, through unknown forests, over snow-clad mountains, across trackless deserts or uncharted seas.

In fulfilment of the words uttered by inspired prophets, thousands of years ago, the wooden boats in which we sailed the seas at the beginning of the past century have been supplanted by floating palaces of steel, in which we ride the waves or navigate the ocean's depths in safety.

For silver the Lord has given us gold, which has become the basis of exchange throughout the civilized world; while iron takes the place of wood and stone in construction.

By the application of scientific methods, which have been revealed during the past century, the profession of medicine and surgery has brought to the people of the world relief from the most dreaded diseases, which devastated communities and at times threatened the very existence of mankind.

Undoubtedly the greatest miracle of the century is the accomplishment by which the human voice, with the personality of the speaker, may be indefinitely preserved and reproduced with every detail of originality.

Whether uttered in the frozen arctics, or from the jungles of the tropics, without visible means of conduct, the human voice instantly circles the earth, thus overcoming the hitherto insurmountable barrier of both time and space.

Contemplating these accomplishments of the past century, to which but brief reference has been made, we are led to exclaim:

Great and marvelous are thy ways, O Lord!
From eternity to eternity, thou art the same!
Thy purposes fail not, neither are there any
who can stay thy hand!

THE CHURCH

The Annunciation. As the glory of the Lord shone round about shepherds, who kept watch over their flocks by night upon the hills of Judea, and the angel of the Lord announced to them that there had been born that day, in the city of David, a Savior, who was Christ the Lord, the light of the Christian Dispensation burst forth upon the world.

“And suddenly there was with the angel a multitude of the heavenly host praising God, and saying,

Glory to God in the highest, and on earth peace, good will toward men.”

The heavens were illuminated by the glory of the Lord, the heavenly host shouted hosannas as the Babe of Bethlehem, the Son of God, the Only Begotten of the Father in the flesh, he who was to become the Savior of mankind, was born into the world.

From the time of his birth to the day of his crucifixion, Satan, that old serpent, the devil, the enemy of all that is good, he who by his wiles and deception tempted our first parents and brought death into the world, sought the destruction of our Lord.

Kings persecuted him because they knew and feared his power. The learned and wealthy spurned him, because of his humble birth; while the ignorant, not understanding, held him in derision.

The personal ministry of Jesus was of short duration. But thirty-three years elapsed from the time of his birth to the day of his crucifixion, and but a small portion of this time was devoted to his ministry. From the time of the delivery of his great Sermon on the Mount, but three years elapsed until his death.

During the brief period of his ministry he effected the organization of his church, selected twelve apostles, upon whom, with Peter at their head, he conferred the keys of the priesthood, and to whom he made plain the organization of his church and the doctrines of his gospel, by obedience to which mankind may be redeemed and brought back into the presence of God. This accomplished, he declared his mortal mission completed, and went to his death with the sublime prayer upon his lips that his Father would pardon those who were responsible for his crucifixion. In their ignorance they knew not what they had done.

THE FIRST CENTURY OF THE PRIMITIVE CHURCH

During the first century of the Christian Era, Octavius, Caligula,

Nero, Vespasian and his son Titus, all of whom were bitter persecutors of the church, occupied the throne of Rome.

Pagan Rome had become the mistress of the world. From the time of the crucifixion of Jesus, persecution of the Christians had been merciless and wicked beyond expression. During the reign of Caligula and Nero, who were more brute than human, Christian men were slain without mercy, while their wives and daughters were carried away to Rome, to be sold to the highest bidder, or distributed to a depraved soldiery.

Men, women, and children were cast into the great amphitheater at Rome, to be torn by wild beasts or fight for their lives, for the entertainment of these inhuman monsters. Christians, their bodies covered with combustibles, were made to stand upon the walls, to be burned, in order that light might be provided for the spectacle below.

To deprive Christians of life was not sufficient. Every cruel means of torture that the human mind could suggest, which might add to the suffering of the victim, was applied.

The falling away which had been predicted by the prophets had come. The man of sin, the son of perdition, was revealed, who opposes and exalts himself above all that is called God, or that is worshipped; so that he as God sitteth in the temple of God, showing himself that he is God. (2nd Thessalonians 2:3-4).

Thus centuries passed, centuries during which darkness covered the earth and gross darkness the minds of the people, centuries during which Satan, in an orgy of Pagan idolatry, ruled the world.

A NEW GOSPEL DISPENSATION

The opening of a new gospel dispensation was not a thing of chance. Jesus Christ, through his messenger, had declared to John while he was upon the Isle of Patmos that an angel would come flying through the midst of the heavens, having the everlasting gospel to preach to them that dwell upon the earth, calling them back to the worship of God, who is the Maker of the heavens and the earth, the sea, and the fountains of water. The Redeemer himself had declared that before the time of his glorious appearance, to assume his rightful place among his people, the gospel of his kingdom should be preached in all the world, for a witness unto all nations, before the coming of the end.

As the time of the restoration of the gospel was clearly indicated, so was the gathering place of those who would accept the truth definitely declared. The prophet Isaiah had said that it should come

to pass in the last days, that the mountain of the Lord's house would be established in the top of the mountains, and be exalted above the hills, and that people from all nations would flow unto it. Many people, he declared, would go and say: "Come ye, and let us go up to the mountains of the Lord, to the house of the God of Jacob." For what purpose? That they might be taught the way of the Lord, and learn to walk in his paths.

At the time of the calling of Abraham, the Lord entered into covenant with him and his posterity, in which he promised that Palestine should be theirs for an everlasting heritage. This promise was repeated to Isaac, and confirmed upon the head of Jacob.

Prior to his death our father Jacob called his twelve sons to him, blessed them, and defined the future of their posterity, adding little to that which had before been promised, until he laid his hands upon the head of Joseph and not only conferred upon him the blessing and heritage of his fathers, but also declared that his heritage prevailed above that of his progenitors, unto the utmost bounds of the Everlasting Hills, to a land choice above all other lands, a land rich in the blessings of the earth, of the heaven above, and the sea beneath.

Upon Ephraim, the younger of the two sons born to Joseph during his sojourn in Egypt, he sealed the heirship to the blessings and promises conferred upon his father.

While Satan held the world in spiritual darkness, by means of priestcraft and idolatry, he shackled the masses with the chains of kingcraft, and thus held the world in both spiritual and civil bondage.

As the time of the end drew nearer, God's Spirit descended upon men, impelling them to break the shackles of idolatry and priestcraft with which they were bound.

When John Wycliffe, John Huss, and William Tyndale, (all of whom suffered martyrdom for their faith) Martin Luther and others, gave the Holy Scriptures to the people of the world, and in the strength of Israel's God declared the truth, the beginning of the end had come.

When the people of Great Britain wrung from King John the Magna Charta, when Oliver Cromwell later cut off the head of King Charles the First, and the Covenanters of Scotland took up arms against the then dominant church, the morning star of hope arose, heralding the sunshine of a brighter day.

The coming of Columbus to America had been foretold centuries before he sailed from the port of Palos, in Spain. The Spirit of the

Lord was upon him, was his guide and protector in his great adventure, and led him to the shores of a new world.

It was not by chance that the Puritans left their native land and sailed away to the shores of New England, and that others followed later. They were the advance guard of the army of the Lord, predestined to establish the God-given system of government under which we live, and to make of America, which is the land of Joseph, the gathering place of Ephraim, an asylum for the oppressed of all nations, and prepare the way for the restoration of the gospel of Christ and the reestablishment of his church upon earth. It was under these circumstances and others of which the Lord was the author, that the stage was set for the raising of the curtain upon the opening scene of the Dispensation of the Fulness of Times.

As the Christian Dispensation was ushered in, the glory of the Lord shone round about the shepherds who kept watch over their flocks by night upon the hills of Judea, while the voice of the angel of the Lord declared the Babe of Bethlehem to be the Savior of the world.

So also the glory of the Lord overshadowed Joseph Smith, and God himself, in the glory and majesty of his person, with his Only Begotten Son, Jehovah, revealed himself in vision, and with his own voice designated Joseph Smith to be the instrument through whom the greatest gospel dispensation of the ages was to be ushered in.

There was nothing of ostentation, pageantry or dramatic display; it was a simple, solemn occasion, superlatively glorious and impressive beyond expression.

The voice of the Lord, which had been silent for ages, was heard again. Again that divine message, so oft repeated, was delivered: "This is my beloved Son. Hear him!" The personality of the Father and his Only Begotten Son was again revealed that mankind may know them as they are.

Of his first vision, Joseph Smith says:

"After I had retired to the place where I had previously designed to go, having looked around me and finding myself alone, I kneeled down and began to offer up the desires of my heart to God. I had scarcely done so when immediately I was seized upon by some power which entirely overcame me, and had such an astonishing influence over me as to bind my tongue so that I could not speak. Thick darkness gathered around me, and it seemed to me for a time that I was doomed to sudden destruction.

But, exerting all my powers to call upon God to deliver me out

of the power of this enemy which had seized upon me, and at the very moment when I was ready to sink into despair and abandon myself to destruction—not to an imaginary ruin, but to the power of some actual being from the unseen world, who had such marvelous power as I had never before felt in any being—just at this moment of great alarm, I saw a pillar of light exactly over my head, above the brightness of the sun, which descended gradually until it fell upon me.

It no sooner appeared than I found myself delivered from the enemy which held me bound. When the light rested upon me I saw two personages, whose brightness and glory defy all description, standing above me in the air. One of them spake unto me, calling me by name, and said, pointing to the other—This is my beloved Son. Hear him!"

When the Apostle Paul appeared before King Agrippa and Festus, the Roman Procurator, he declared that Jesus Christ, who had been crucified upon Calvary, was risen from the dead; that he lived and appeared to him in a cloud of light, calling him to be his messenger to the Gentiles. Festus, in amazement, cried out: "Paul, thou art beside thyself; much learning doth make thee mad." But Paul replied—"I am not mad, most noble Festus, but speak forth the words of truth and soberness."

In like manner Joseph Smith, an obscure country boy, fifteen years of age, when he related to certain sectarian ministers of the neighborhood that he had received a heavenly vision, was made the victim of ridicule and bitter persecution.

Men flew into passion as they declared that it was all from the devil, that there were no such things as visions and revelations in these days; that all such things had ceased with the apostles, and that there would never be any more of them.

Satan again manifested his power and determination to frustrate the will of Christ, that he might maintain his dominion over the world and continue to hold captive the souls of men. From that hour he raged in the hearts of the wicked, until he finally encompassed the death of the Prophet; not, however, until he had accomplished the work which the Lord had sent him into the world to do.

Like Paul, Joseph Smith, during the three years intervening after his vision, steadfastly maintained that in vision he had seen the Father and the Son, and had heard the voice of the Lord.

On the evening of September 21, 1823, he had retired as usual to his bedroom for the night, a night fraught with events of which he had not dreamed, events of supreme importance to him and to the people of the world.

He says:

“While I was thus in the act of calling upon God I discovered a light appearing in my room, which continued to increase until the room was lighter than at noonday, when immediately a personage appeared at my bedside, standing in the air, for his feet did not touch the floor.

He had on a loose robe of most exquisite whiteness. It was a whiteness beyond anything earthly I had ever seen; nor do I believe that any earthly thing could be made to appear so exceedingly white and brilliant. His hands were naked, and his arms also, a little above the wrists; so, also, were his feet naked, as were his legs, a little above the ankles. His head and neck were also bare. I could discover that he had no other clothing on but this robe, as it was open, so that I could see into his bosom.

Not only was his robe exceedingly white, but his whole person was glorious beyond description, and his countenance truly like lightning. The room was exceedingly light, but not so very bright as immediately around his person. When I first looked upon him I was afraid; but the fear soon left me.

He called me by name, and said that he was a messenger sent from the presence of God to me, and that his name was Moroni; that God had a work for me to do; and that my name should be had for good and evil among all nations, kindreds, and tongues, or that it should be both good and evil spoken of among all people.”

This messenger revealed to Joseph Smith that there was a book deposited, written upon gold plates, giving an account of the ancient inhabitants of America and the source from whence they came, and that the plates would later be delivered into his hands to be translated and published to the world.

On the twenty-third day of September, 1827, the plates containing the record of the *Book of Mormon* were delivered to Joseph Smith who, by the gift and power of God, translated the characters which were engraven upon them.

The *Book of Mormon* does not in any degree conflict with or take the place of the *Holy Bible*, but is the strongest, corroborative evidence in existence of the divine origin of that sacred record. It has been before the world for more than a century, during which time no statement contained in it, whether it refers to the civil history or the religion of the people who kept the record, has been proven to be untrue.

As the translation of the characters engraven upon the plates on which the Nephite record was kept proceeded Joseph Smith discovered that the doctrine of baptism was taught and practiced by the Nephite people. Desiring to better understand this principle he did as he had done before, went with Oliver Cowdery, his scribe, into the woods,

and engaged in earnest prayer. The following is quoted from his own words:

“While we were thus employed, praying and calling upon the Lord, a messenger from heaven descended in a cloud of light, and having laid his hands upon us he ordained us, saying:

‘Upon you, my fellow servants, in the name of Messiah, I confer the priesthood of Aaron, which holds the keys of the ministering of angels, and of the gospel of repentance, and of baptism by immersion for the remission of sins; and this shall never be taken again from the earth, until the sons of Levi do offer again an offering unto the Lord in righteousness.’

The messenger who visited us on this occasion and conferred this priesthood upon us, said his name was John, the same that is called John the Baptist in the *New Testament*, and that he acted under the direction of Peter, James, and John, who held the keys of the priesthood of Melchizedek, which priesthood, he said, would in due time be conferred upon us.”

With this ordination, and the restoration of the Melchizedek priesthood which was later conferred as promised, the fulness of the keys and authority of the priesthood of Almighty God, which had for centuries been lost to mankind, was restored and has remained with the church in unbroken succession until the present time.

With the restoration of the priesthood the way was open for the preaching of the gospel, the administration of the ordinances pertaining thereto, and the organization of the church.

On the sixth day of April, one hundred years ago today, Joseph Smith, with five others who had accepted the message of the restored gospel, met at the home of Peter Whitmer, Sen., at Fayette, Seneca county, New York. The sacrament of bread and wine was administered and the Church of Jesus Christ of Latter-day Saints organized.

In his Sermon on the Mount the Master declares that a tree is known by the fruit which it produces. We do not gather grapes from thorns nor figs from thistles. A bitter fountain cannot bring forth good water, nor does a good fountain bring forth bitter water. By this unchangeable law we ask the world to judge the accomplishments of the church during the past century.

It was after his resurrection that the Master commissioned his disciples to go into all the world and preach the gospel to all people, baptizing them in the name of the Father, and of the Son, and of the Holy Ghost.

In like manner have the disciples of Christ in the present dispensa-

tion, his apostles, high priests, seventies, (who are his especially chosen ministry) and the elders of the church, carried the glad tidings of the restored gospel to every part of the civilized world during the century past, and wherever the message has been proclaimed there have been honest souls who have accepted it and gathered to Zion, in fulfilment of the words of the ancient prophets.

The mountain of the Lord's house has been established in the top of the mountains, and people from all nations have flown unto it. Through the blessings of the Lord upon their labors the desert has been subdued and made to blossom as the rose. Solitary places have been made glad because of them. Cities have been established, springs of water have broken out which have given life to the thirsty land, music and the voices of children are heard in the streets where desolation and silence had reigned for ages.

Temples have been erected in which the work of redemption has been done for an innumerable host of the living and the dead.

Many thousands have been brought from the poverty and distress of the old world to this blessed land of Joseph, to become wealthy and be made happy as they have participated in the blessings which the Lord our God has pronounced upon it.

Looking backward to the organization of the church, which occurred under the most humble and, to the world, obscure circumstances, and following its history through persecution, poverty, and distress, can it be denied that a great and marvelous work has been accomplished, that the promises of the Lord have been fulfilled, and his power to accomplish that to which he sets his hand to do, manifested?

Let glory and honor be ascribed unto God our Father, through Jesus Christ, his Son, forever, for he is the author of it all.

The future, as outlined in the predictions of the ancient prophets and confirmed by modern revelation, is pregnant with hope for the church.

Jesus Christ our Lord said: "Think not that I am come to destroy the law, or the prophets: I am not come to destroy, but to fulfil. For verily I say unto you, Till heaven and earth pass, one jot or one tittle shall in no wise pass from the law, till all be fulfilled."

With the present momentum with which the people of the world are moving forward in the determination of truth in every field of human endeavor, the outlook for the future passes beyond the vision of human comprehension.

Jesus Christ, referring to the time when he would manifest himself in the latter days, declared that whereas he manifested himself to his own people in the meridian of time and they rejected him, in the latter-days he would come first to the Gentiles, and then to the house of Israel. He says:

"When the time of the Gentiles is come in, a light shall break forth among them that sit in darkness, and it shall be the fulness of my gospel. But they receive it not; for they perceive not the light, and they turn their hearts from me because of the precepts of men. And in that generation shall the times of the Gentiles be fulfilled."

"At that time, saith the Lord, I will remember the covenant which I have made with my people who are of the house of Israel, and will send my gospel to them."

"And it shall come to pass that I will establish my people, O house of Israel, and I will remember the covenant which I have made with my people, and I have covenanted with them that I would gather them together, in mine own due time, that I would give unto them again the land of their fathers for their inheritance, which is the land of Jerusalem, which is the promised land unto them forever, saith the Father.

"And behold, this people (the Nephites) will I establish in this land, (America) and it shall be a new Jerusalem. And the powers of heaven shall be in the midst of this people; yea, even I will be in the midst of you. And then shall be brought to pass that which is written:

"Awake, awake again and put on thy strength, O Zion; put on thy beautiful garments, O Jerusalem, the Holy City. For thenceforth there shall no more come into thee the uncircumcised and the unclean: For thus saith the Lord: Ye have sold yourselves for naught, and ye shall be redeemed without money."

From the words of the Prophet Daniel we quote the following:

"In the days of these kings shall the God of heaven set up a kingdom, which shall never be destroyed: and the kingdom shall not be left to other people, but it shall break in pieces and consume all these kingdoms, and it shall stand forever."

John, the beloved disciple of our Lord, says:

"I saw a new heaven and a new earth; for the first heaven and the first earth were passed away: And I John saw the Holy City, New Jerusalem, coming down from God out of heaven, prepared as a bride adorned for her husband.

"And I heard a great voice out of heaven, saying: Behold the tabernacle of God is with man, and he will dwell with them, and they shall be his people, and God himself shall be with them, and be their God.

"And God shall wipe away all tears from their eyes; and there shall be no more death, neither sorrow nor crying, neither shall there be any more pain; for the former things are passed away."

"And the Lord shall judge among the nations, and shall rebuke many people; and they shall beat their swords into plowshares and their spears into pruning hooks; nation shall not lift up sword against nation, neither shall they learn war any more."

With this glorious vision of the future, to which we look forward, we exhort our brethren and sisters to put their houses in order, that they may be prepared for that which is to come.

Refrain from evil; do that which is good. Visit the sick, comfort those who are in sorrow, clothe the naked, feed the hungry, care for the widow and the fatherless. Observe the laws of health which the Lord has revealed, and keep yourselves unspotted from the sins of the world. Pay your tithes and offerings, and the Lord will open the windows of heaven and pour out blessings until there shall not be room to contain them. Be obedient to the laws of God and the civil laws of the country in which you reside, and uphold and honor those who are chosen to administer them.

To the people of the world we send our blessing, and bear witness to them that God lives, that Jesus Christ is his Only Begotten Son, the Redeemer of the world. We call upon all men to come unto him, that through his grace they may attain to eternal life and an inheritance with him in the kingdom of his Father.



The First Presidency

Index

General Index

(N.B. In each volume will be found an elaborate topical Table of Contents—listed chapter titles and subtitles with page references given—which well serves as an index to each volume; and those tables used in connection with this General Index will give the reader easy access to the subject matter of this work.

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THE END

Errata

VOL. I. Insert the following line at the top of page 261:

than most states of the American Union and few states sur-

Page 380: Transfer line following to bottom of page after ten point paragraph:

Thence comes also the holding of "the keys of the king-

Page 435: After "fellow-" in ten point passage add:

ship and communion—choosing to seek a place among the meek and

Page 486: Change "Smih" to Smith.

VOL. II. Page 76: In second line of second paragraph "or death", make to read: *without tasting death.*

Page 257: In last line of footnote 4, should be, *pp. 120-4.*

Page 272: "See footnote 39", should be, *See footnote 4* etc. also this should be added same place:

See Gregg's History of Illinois, in History of Hancock County, pp. 120-4, quoting Colton's History of the Battle of Buena Vista.

VOL. III. Page 95: Signature to footnote 8 should be, *Gongwer.*

Page 196: Place a *period* after the last line of twelve point thus ending the sentence.

VOL. V. Page 54: In last line of twelve point, should be *Hempstead.*

VOL VI. Page 22: Fourth line from the top read *suppressed* instead of "supposed".

Page 22: Before the paragraph beginning—"It scarcely requires an argument" etc. insert the following:

The recommendations of President James A. Garfield were scarcely less drastic on the point of asserting absolute legislative authority over the territories.

Page 508. In third line of ten point paragraph near bottom of page, read *Richard A. Proctor*, instead of "Redfield Proctor."

